Washington, Wednesday, September 21, 1955

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I-Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

FEDERAL POWER COMMISSION

Effective upon publication in the FZD-ERAL REGISTER, paragraphs (d) and (e) of § 6.325 are amended as set out below.

§ 6.325 Federal Power Commission.

- (d) Executive Director.
- (e) One Private Secretary to the Executive Director.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERV-ICE COLLISSION,

[SEAL]

Wm. C. Hull, Executive Assistant.

[F. R. Doc. 55-7635; Filed, Sept. 20, 1955; 8:49 a. m.]

PART 24—FORMAL EDUCATION REQUIRE-MENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFES-SIONAL POSITIONS

FORESTER

Sections 24.50, 24.53, 24.54 are revoked and §§ 24.19 and 24.56 are amended as set out below.

§ 24.19 Forester GS-460-5-15, and Forester (Range Management) GS-460-5-15—(a) Educational requirement. (1) Applicants for Forester, GS-460-5-15, positions must have successfully completed one of the following:

(i) A full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree with major study in forestry, forest engineering, range management, wildlife management or a closely related subject matter field. This course of study must have included at least 20 semester hours of course-work in forestry with course-

work which dealt specifically with the following subjects: silviculture, forest management, forest protection, forest economics, forest utilization and either (1) range management, (2) wildlife management, (3) forest engineering or (4) forest influences.

(ii) A total of at least 30 cemester hours of course-work in science or engineering in an accredited college or university with major study in forestry, forest engineering, range management, wildlife management or a closely related subject-matter field, including at least 20 semester hours in forestry with course-work which dealt specifically with the following subjects: silviculture, forest management, forest protection, forest economics, forest utilization and either (1) range management, (2) wildlife management, (3) forest engincering or (4) forest influences, plus enough additional experience, or education, of an appropriate nature to total 4 years of experience and education or 4 years of education. The quality of this additional experience or education must have been such that, when combined with the 30 semester hours of course-work in ccience or engineering, it gives the applicant a technical knowledge comparable to that normally acquired through the successful completion of the full 4-year course of study described in subdivision (i) of this subparagraph.

(2) Applicants for Forester (Range Management), GS-460-5-15, positions must have successfully completed one of the following:

(i) A full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree with major study in forestry, forest engineering, range management, wildlife management or a closely related subject-matter field. This course of study must have included at least 20 semester hours of course-work in forestry, supplemented by at least 9 semester hours of course-work in range management, or in subjects directly related to range management, and 6 semester hours in a combination of plant ecology (exclud-

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CFR SUPPLEMENTS (For use during 1955)

The following Supplements are now available:

Title 32: Parts 400-699 (\$5.75) Parts 800-1099 (\$5.00) Part 1100 to end (\$4.50) Title 43 (Revised, 1954) (\$6.00)

Previously announced: Title 3, 1954 Supp. (\$1.75); Titles 4–5 (\$0.70); Title 6 (\$2.00); Title 7· Parts 1–209 (\$0.60); Parts 210–899 (\$2.50); Part 900 to end (\$2.25); Title 8 (\$0.45); Title 9 (\$0.65);— Titles 10-13 (\$0.50); Title 14: Parts 1-399 (\$2.25); Part 400 to end (\$0.65); Title 15 (\$1.25); Title 16 (\$1.25); Title 17 (\$0.55); Title 18 (\$0.50); Title 19 (\$0.40); Title 20 (\$0.75); Title 21 (\$1.75); Titles 22-23 (\$0.75); Title 24 (\$0.75); Title 25 (\$0.50); Title 26 (1954) (\$2.50); Title 26: Parts 1-79 (\$0.35); Parts 80-169 (\$0.50); Parts 170-182 (\$0.50); Parts 183-299 (\$0.30); Part 300 to end and Title 27 (\$1.25); Titles 28-29 (\$1.25); Titles 30-31 (\$1.25); Title 32: Parts 1-399 (\$4.50); Parts 700-799 (\$3.75); Title 32A, Revised December 31, 1954 Title 32A, Revised December 31, 1734 (\$1.50); Title 33 (\$1.50); Titles 35-37 (\$0.75); Title 38 (\$2.00); Title 39 (\$0.75); Titles 40-42 (\$0.50); Titles 44-45 (\$0.75); Title 46: Parts 1-145 (\$0.40); Part 146 to end (\$1.25); Title 46: Parts 1-70 (\$0.40); Part 146 to end (\$1.25); Title 46: Parts 1-70 (\$1.25); 47-48 (\$1.25); Title 49: Parts 1-70 (\$0.60); Parts 71-90 (\$0.75); Parts 91-164 (\$0.50); Part 165 to end (\$0.60); Title 50 (\$0.55)

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ing silviculture or silvics) and taxonomic botany.

(ii) A total of at least 40 semester hours of course-work in science or engineering in an accredited college or university with major study in forestry, forest engineering, range management, wildlife management or a closely related subject-matter field, including at least 20 semester hours in forestry, supplemented by at least 9 semester hours in range management, or in subjects directly related to range management, and 6 semester hours in a combination of plant ecology (excluding silviculture or silvics) and taxonomic botany, plus enough additional experience, or education, of an appropriate nature to total 4 years of experience and education or 4 years of education. The quality of this additional experience or education must have been such that, when combined with the 40 semester hours of course-work in science or engineering, it gives the applicant a technical knowledge comparable to that normally acquired through the successful completion of the full 4-year course of study described in subdivision (i) of this subparagraph.

(b) Duties. (1) Foresters advise on, administer, supervise or perform professional and scientific work in connection with the management, protection and utilization of forest resources and forest lands for the continuous production of goods and services derived from the forest resources or from the forest lands. This involves such things as timber and forage resources, protection of the forest and land from fire, flood and erosion, the maintenance of environmental conditions necessary for wildlife, development and preservation of natural landscape effects and providing for public recreation. For the most part, the duties of these positions involve the management of balanced resources or of forested lands.

(2) Foresters (Range Management) advise on, administer, supervise or perform professional and scientific work in connection with the management, pro-

and forest lands for the continuous production of forage for livestock and big game where this work must be coordinated with the management of other forest resources such as timber, water, recreation and wildlife. The duties of these positions require a combination of knowledges and abilities in both the science of forestry and the science of range management.

(c) Knowledge and training requisite for performance of duties. The duties of these positions cannot be performed without a sound basic knowledge of the fundamental biological and plant sciences and of the basic physical and mathematical sciences and specific training in forestry or forestry and range management. These duties require an management. These duties require an exacting and detailed knowledge and training. Appointees must have the ability to apply their professional and training. scientific knowledge to their work in order to solve specific problems, interpret and apply the results of research, both in the fields of forestry and range management and in related fields of science, and to manage forest resources wisely. The knowledge and training required can only be acquired through the successful completion of a directed course of study in an accredited college or university which has scientific libraries, well-equipped laboratories and thoroughly trained instructors, gives expert guidance and evaluates progress competently.

§ 24.56 Research Forester GS-461-5-15 (all options except Fire Research and Forest Influences)—(a) Educational requirement. Applicants must have successfully completed a full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree with major study in forestry, forest engineering, range management, wildlife management or a closely subject-matter field. related This course of study must have included at least 20 semester hours of course-work in forestry with course-work which dealt specifically with the following subjects: silviculture, forest management, forest protection, forest economics, forest utilization and either (1) range management, (2) wildlife management, (3) forest engineering or (4) forest influences.

(b) Duties. Research Foresters advise on, administer, supervise or perform professional and scientific research work in connection with the development of improved methods and practices followed in managing, protecting and utilizing the resources of the forests and the forest lands. This work involves the discovery and interpretation of the principles and facts upon which rest the full productive use of the forests and the forest lands.

(c) Knowledge and training requisite for performance of duties. The duties of these positions cannot be performed without a sound basic knowledge of the fundamental biological and plant cciences and of the basic physical and mathematical sciences and specific training in forestry. These duties require a most exacting and detailed knowledge and training. Appointees must have the ability to apply their professional and scientific knowledge to

tection and utilization of forest resources their work in order to solve specific problems, interpret and apply the results of recearch, both in the field of forestry and in related fields of science, and to do recearch in forestry. The knowledge and training required can only be acquired through the successful completion of a directed course of study in an accredited college or university which has ccientific libraries, well-equipped laboratories and thoroughly trained instructors, gives expert guidance and evaluates progress competently.

(Sec. 11, 58 Stat. 330; 5 U. S. C. 850)

United States Civil Serv-ICE COMMISSION, WM. C. HULL, [SEAL] Executive Assistant.

[P. R. Dec. 55-7025; Filed, Sept. 20, 1955; 8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B-Leans, Purchases, and Other Operations

[1955 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Dry Edible Beans]

PART 421-GRAINS AND RELATED COMMODITIES

SUBPART-1955-CROP DAY EDIELE EEAN LOAN AND PURCHASE AGREEMENT PROGRAM

Correction

In FEDERAL REGISTER Document 55-7379, published at page 6689 in the Issue for Tuesday, September 13, 1955, the following change should be made in § 421.-1187: In the proviso in paragraph (b) (3) the phrase "inspection and weight certificates not be required" should read "inspection and weight certificates will not be required"

TITLE 7—AGRICULTURE

Chapter I-Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 28-COTTON STANDARDS

SUBPART E-COTTON FIBER AND SPINNING TESTS

PRESCRIPED FEES

Pursuant to authority contained in the Cotton Statistics and Estimates Act of March 3, 1927, as amended (55 Stat. 131, 7 U. S. C. 437d) § 23.956 of the regulations for cotton fiber and spinning tests (7 CFR 28.956) is hereby amended, effective upon publication in the FUDLEAL REGISTER, as hereinafter set forth.

The primary purpose of the amendment is to reflect the availability and fees for certain additional fiber and spinning tests performed in combination.

The Department finds that it is impracticable, unnecessary, and contrary to public interest to issue a notice of proposed rule making on this amendment or to postpone the effective date of the amendment until 30 days after publication in the Federal Register for the reasons that: (1) It will be to the advantage of users of the service to have the additional test items available as soon as possible; and (2) no preparation is required by users of the service to comply with the amendment.

The amendment is as follows:

1. Amend the first sentence in § 28.956 to read as follows: "Fees for fiber and spinning tests shall be assessed in accordance with the following:"

2. Add the following items to § 28.956:

Item No., kind of test and fee per test

teens trong nation of soos wises for per s	000
21.1-Determination of neps in card	
web (from specimens furnished by	
the employeet on boords sorrored	
the applicant on boards covered	
with black velvet; maximum of 10	
specimens or 360 square inches; re-	
porting average neps per 100 square	
inches of card web); per test	\$1.
20-Combination fiber test:	
Including test item numbers 3, 5,	
and 6, per sample	3.
CO as more complex cubmitted at the	٠.
20 or more samples submitted at the	0
same time, per sample When tested in connection with	3.
When tested in connection with	
spinning test item numbers 11, 12, 13, 14, and 15, per sample29.1—Combination fiber test:	
12, 13, 14, and 15, per sample	2.
29.1—Combination fiber test:	
Including test item numbers 3, 5,	
and 6.1 per sample	2.
and 6.1, per sample 20 or more samples submitted at	
20 or more samples submitteed at	
the same time, per sample	2.
When tested in connection with	
spinning test item numbers 11,	
12, 13, 14, and 15, per sample	1.
79 2—Combination tiper test:	
Including test item numbers 3.1,	
5.1, and 6.2 (1 specimen from each	
of 2 on more replicate sub-sem-	
of 3 or more replicate sub-sam-	4
ples), per sub-sample 20 or more sub-samples submitted	1.
	_
at the same time, per sub-sample_	1.
29.3—Combination fiber test:	
Including test item numbers 3, 5,	
6, and 7, per sample	5.
20 or more samples submitted at	
the same time, per sample	4.
29.4—Combination fiber test:	1.
29.4—Combination inter test:	
Including test item numbers 3, 5,	
6.1, and 7, per sample	4.
20 or more samples submitted at	
the same time, per sample29.5—Combination fiber test:	3.
29.5—Combination fiber test:	
Including test item numbers 3.1, 5.1	
and 6 for 3 or more replicate sub-	
samples (specimens for item 3.1	
and 5.1 may be taken from cotton	
blended for item 6 when requested), per sub-sample	_
quested), per sub-sample	2.
20 or more sub-samples submitted	
at the same time, per sub-sample_	3.
29.6—Combination fiber test:	
Including test item numbers 3.1, 5.1,	
R and 7 for 9 or more replicate sub-	
6 and 7 for 3 or more replicate sub-	
samples (specimens for items 3.1	
and 5.1 may be taken from cotton	
plended for item 6 when re-	
blended for item 6 when requested), per sub-sample 20 or more sub-samples submitted	4.
20 or more sub-samples submitted	
at the same time, per sub-sample_	4.
29.7—Combination fiber test:	
Including test item numbers 3.1, 5.1,	
and 7 for 3 or more replicate sub-	_
samples, per sub-sample	3.
20 or more sub-samples submitted at	
the same time nor sub-comple	9

Done at Washington, D. C., this 15th day of September 1955.

the same time, per sub-sample...

(Sec. 3d, 55 Stat. 131; 7 U.S. C. 473d)

ROY W LENNARTSON, Deputy Administrator [SEAL] Agricultural Marketing Service.

[F. R. Doc. 55-7631; Filed, Sept. 20, 1955; 8:48 a. m.]

Chapter IX-Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 959-IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY 1

ORDER, AS AMENDED, REGULATING HANDLING

Sec. 959.0 Findings and determinations.

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AUTHORITY: §§ 959.1 to 959.88 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 959.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR Part 900; 19 F R. 57) a public hearing was held at Portland, Oregon, on January 31-February 1, 1955, upon proposed amendments to Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the Counties of Crook, Deschutes, Jefferson, Klamath, and Lake in Oregon, and Modoc and Siskiyou in California. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act with respect to potatoes produced in the production area (i) by establishing and maintaining such orderly marketing conditions therefor as will tend to establish, as prices to the producers thereof, parity prices, and by protecting the interest of the consumer (a) by approaching the level of prices which it is declared in the act to be the policy of Congress to establish by gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and (b) by authorizing no action which has for its purpose the maintenance of prices to producers of such potatoes above the parity level, and (ii) by authorizing the establishment and maintenance of such minimum standards of quality and maturity, and such grading and inspection requirements as may be incidental thereto, as will tend to effectuate such orderly marketing of such potatoes as will be in the public interest;

(2) The said order, as amended, and as hereby further amended, regulates the handling of potatoes grown in the production area in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which hearings have been held;

¹The headnote of this part is revised.

- (3) The said order, as amended, and as hereby further amended, is limited in application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of the several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;
- (4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to the difference in the production and marketing of potatoes grown in the production area; and
- (5) All handling of potatoes grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.
- (b) Additional findings. It is hereby found that good cause exists for making the provisions of this order, as amended, effective not later than the time hereinafter specified because the harvesting and marketing of the 1955 crop of Irish potatoes grown in the production area as defined in this order, as amended, will begin prior to the end of a thirty day waiting period. Any delay in the essuance of this order, as amended, beyond the effective date hereof may seriously impair the orderly marketing of the 1955 crop of Irish potatoes grown in the production area.

It is necessary to make this order, as amended, effective by the date hereinafter specified so that the Oregon-California Potato Committee, the administrative agency provided for in the order, as amended, can be organized and start to function as soon as possible. In this manner, it will be possible for regulations to be formulated and issued so that producers will be in a position to obtain the benefits of this amended program on as much of their 1955 crop of potatoes as is possible.

The provisions of the order, as amended, are well known to handlers of Irish potatoes grown in the production area by reason of the following facts: (1) the public hearing, at which evidence was received from the industry and upon which this order, as amended, is based, was held in Portland, Oregon, January 31-February 1, 1955; (2) the recom-mended decision and the final decision were issued on June 6, 1955 (20 F R. 4026) and July 14, 1955 (20 F R. 5139) respectively: (3) copies of the regulatory provisions of the order, as amended, were made available, prior to or during the course of the referendum which was held during the period August 24 through August 31, 1955, to determine whether producers of potatoes in the production area approved or favored the issuance of this order, as amended, to all known parties who may be subject thereto; and (4) all known handlers in the production area were mailed a copy of the marketing agreement, as amended, the regulatory provisions of which are the same as those contained in this order, as amended. Compliance with the regulatory provisions of this order, as amended, will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant thereto. It would be contrary to the public interest to delay the effective date hereof beyond the date hereinafter set forth.

(c) Determinations. It is hereby determined that:

- (1) Handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping potatoes covered by this order, as amended) of more than 50 percent of the volume of potatoes covered by this order, as amended, have signed a marketing agreement, as amended, regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County, and

 (2) The issuance of this order, as
- amended, is approved or favored (i) by at least two-thirds of the producers of Irish potatoes who participated in a referendum held during the period August 24 through August 31, 1955, and who, during the determined representative period (July 1, 1954 to June 30, 1955), have been engaged within Modoc and Siskiyou Counties in California, and in all counties in Oregon except Malheur County, in the production of potatoas for market, and (ii) by producers who participated in the aforesaid referendum who, during the aforesaid representative period, produced for market at least twothirds of the volume of such potatoes produced for market within the production area specified herein by all producers who participated in the said referendum.

Order relative to handling. It is, therefore, ordered that on and after the effective time hereof, the handling of potatoes grown in Modoc and Sigliyou Counties in California and in all Counties in Oregon, except Malheur County shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and such terms and conditions are as follows:

DEFINITIONS

- § 959.1 Secretary. "Secretary" means the Secretary of Agriculture of the United States or any officer or employce of the United States Department of Agriculture to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.
- § 959.2 Act. "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S. C. 601 et seq., 63 Stat. 906, 907, 1047).
- § 959.3 Person. "Person" means an individual, partnership, corporation, association, or any organized group or business unit.
- § 959.4 Production area. "Production area" means and includes Modoc and Siskiyou Counties in the State of Callfornia, and all counties, except Malheur, in the State of Oregon.

- 5 959.5 Polatoco. "Potatocs" means all varieties of Irish potatocs grown within the aforesaid production area.
- § 959.6 Handler. "Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes.
- § 959.7 Handle. "Handle" or "ship" means to sell or transport potatees within the production area or between the production area and any point outside thereof.
- § 959.8 *Producer.* "Producer" means any person engaged in the production of potatoes for market.
- § 959.9 Fiscal period. "Fiscal period" means the period beginning and ending on the dates approved by the Secretary pursuant to recommendations by the committee.
- § 959.10 Committee. "Committee" means the administrative committee, called the Oregon-California Potato Committee, established pursuant to § 959.25.
- § 959.11 Varieties. "Varieties" means and includes all classifications or subdivisions of Irish potatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.
- § 959.12 Seed potatoes. "Seed potatees" means and includes all potatees officially certified and tagged, manued or otherwise appropriately identified under the supervision of the official seed potato certifying agency of the State from which the potatees are chipped, or other seed certification agencies which the Secretary may recognize.
- § 959.13 Table stock potatoes. "Table stock potatoes" means and includes all potatoes not included within the defimtion of "seed potatoes."
- § 959.14 Pacl:. "Pack" means a unit of potatoes in any type of container and which falls within specific weight limits or within specific grade limits recommended by the committee and approved by the Secretary.
- § 959.15 Grade and sme. "Grade" means any one of the officially established grades of potatoes, and "size" means any one of the officially established sizes of potatoes, as defined and set forth in:
- (a) The United States Standards for Potatocs issued by the United States Department of Agriculture (§§ 51.1540 to 51.1559 of this title), or amendments thereto, or modifications thereof, or variations based thereon;
- (b) United States Consumer Standards for Potatoes as issued by the United States Department of Agriculture (§§ 51.1575 to 51.1587 of this title) or amendments thereto, or modifications thereof, or variations based thereon; and
- (c) Standards for potatoes assued by the State from which the potatoes are shipped, or amendments thereto, or modifications thereof, or variations based thereon.
- § 959.16 Grading. "Grading" 15 synonymous with "preparing for mar-

ket" which means the sorting or separating of potatoes into grades and sizes for market purposes.

§ 959.17 Export. "Export" means shipment of potatoes beyond the boundaries of continental United States.

§ 959.18 District. "District" means each one of the geographical divisions of the production area established pursuant to § 959.32.

ADMINISTRATIVE COMMITTEE

§ 959.25 Establishment and membership. (a) The Oregon-California Potato Committee consisting of twelve members, of whom eight shall be producers and four shall be handlers, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

(b) An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate during such member's absence. In the event of the death, removal, resignation, or disqualification of a member his alternate shall act for him until a successor for such member is selected and has qualified.

§ 959.26 Procedure. (a) Eight members of the committee shall be necessary to constitute a quorum and eight concurring votes will be required to pass any motion or approve any committee action.

(b) The committee may provide for meeting by telephone, telegraph, or other means of communication and any vote cast at such meeting shall be confirmed promptly in writing: Provided, That if any assembled meeting is held, all votes shall be cast in person.

§ 959.27 Selection. (a) Persons selected as committee members or alternates to represent producers or handlers shall be producers or handlers, respectively, or officers or employees of a corporate producer or handler, respectively, in the district for which selected and shall be residents of such district.

(b) The Secretary shall select three producer members of the committee, with their respective alternates, from District No. 1, two producer members, with their alternates, from each of Districts No. 2 and No. 4, and one producer member with his alternate, from District No. 3. The Secretary shall also select one handler member of the committee, with his alternate, from each of Districts Nos. 1, 2, 3, and 4.

(c) Any person selected by the Secretary as a committee member or as an alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

§ 959.28 Term of office. (a) The term of office of committee members and alternates shall be two years beginning July 1 and ending June 30. The terms of office of members and alternates shall be so determined that one-half of the total producer committee membership and one-half of the total handler committee membership shall terminate each June 30.

(b) Committee members and alternates shall serve during the term of

office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during the current term of office and continuing until the end thereof, and until their successors are selected and have qualified.

§ 959.29 Powers. The committee shall have the following powers:

(a) To administer the provisions of this subpart in accordance with its terms:

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 959.30 Duties. It shall be the duty of the committee:

(a) At the beginning of each fiscal period, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees of committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable:

(b) To act as intermediary between the Secretary and any producer or handler:

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person;

(e) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes;

(f) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative;

(g) To make available to producers and handlers the committee voting record on recommended regulations and on other matters of policy.

(h) At the beginning of each fiscal period, to submit to the Secretary a budget of its expenses for such fiscal period, together with a report thereon;

(i) To cause the books of the committee to be audited by a competent accountant at least once each fiscal period, and at such other time as the committee may deem necessary or as the Secretary may request, and the report of such audit shall show the receipt and expenditure of funds collected pursuant to this subpart; and, a copy of each such report shall be made available at the principal office of the committee for inspection by producers and handlers;

(j) To consult, cooperate, and exchange information with other potato marketing committees and other individuals or agencies in connection with all proper committee activities and objectives under this subpart; and

(k) To establish, and pay the expenses of, advisory subcommittees for the purpose of consulting with Federal, State,

and other appropriate agencies with respect to the establishment of marketing research and development projects pursuant to § 959.47.

§ 959.31 Expenses and compensation. Committee members and their respective alternates when acting on committee business shall be reimbursed for expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this subpart, and shall receive compensation at a rate to be determined by the committee, which rate shall not exceed \$10.00 for each day or portion thereof, spent in attending meetings of the committee.

§ 959.32 Districts. (a) For the purpose of selecting committee members, the following districts of the production area are hereby initially established.

District No. 1. The Countles of Crook. Deschutes, and Jefferson in the State of Oregon;

District No. 2. The Countles of Klamath and Lake in the State of Oregon;

District No. 3. All remaining counties in the State of Oregon, with the exception of

Malheur County;
District No. 4. The Counties of Modes and Siskiyou in the State of California.

(b) The Secretary, upon the recommendation of the committee, may reestablish districts within the production area and may reapportion committee membership among the various districts: Provided, That in recommending any such changes in districts or representation, the committee shall give consideration to (1) the relative importance of new areas of production, (2) changes in the relative position of existing districts with respect to production, (3) the geographic location of areas of production as they would affect the efficiency of administering this part, and (4) other relevant factors: Provided further, That there shall be no change in the total number of committee members or in the total number of districts.

§ 959.33 Nominations. The Secretary may select the members of the Oregon-California Potato Committee and their respective alternates from nominations which may be made in the following

(a) Nominations for members and alternates of the committee may be submitted by producers or handlers, as the case may be, or groups thereof, on an elective basis or otherwise.

(b) In order to provide nominations for committee members and alternates:

(1) The committee shall hold or cause to be held prior to May 1 of each year, after the effective date of this subpart, a meeting or meetings of producers and of handlers, respectively, in each of the districts designated in § 959.32 in which the term of office of committee members. and their respective alternates, will commence the following July 1,

(2) In arranging for such meetings the committee may, if it deems desirable, utilize the services and facilities of existing organizations and agencies;

(3) At each such meeting at least two nominees shall be designated for each position as member and for each position as alternate member on the committee which is vacant, or which is to become vacant the following June 30;

(4) Nominations for committee members and alternate members shall be supplied to the Secretary in such manner and form as he may prescribe, not later than May 31 of each year;

(5) Only producers may participate in designating nominees for producer committee members and their alternates and only handlers may participate in designating nominees for handler committee members and their alternates;

(6) Each person who is both a handler and a producer may vote either as a handler or as a producer and may elect the group in which he votes; and

- (7) Regardless of the number of districts in which a person handles or produces potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates and representatives, in designating nominees for committee members and alternates: Provided, That in the event a person is engaged in handling or producing potatoes in more than one district, such person shall elect the district within which he may participate as aforesaid in designating nominees: Provided further That an eligible voter's privilege of casting only one vote, as aforesaid, shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.
- (c) If nominations are not made within the time and in the manner specified by the Secretary pursuant to paragraph (b) of this section, the Secretary may, without regard to nominations, select the committee members and alternates on the basis of the representation provided for in this subpart.

§ 959.34 Vacancies. To fill any vacancy occasioned by the failure of any person selected as a committee member or as an alternate to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or alternate, a successor for his unexpired term may be selected by the Secretary from nominations made in the manner specified in § 959.33, or the Secretary may select such committee member or alternate from previously unselected nominees on the current nommee list from the district involved. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of the representation provided for in this subpart.

EXPENSES AND ASSESSMENTS

§ 959.40 Expenses. The committee is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred by it during each fiscal period for the maintenance and functioning of such committee and for such purposes as the Secretary, pursuant to this subpart, determines to be appropriate. Handlers shall share expenses on the basis of each fiscal period. Each handler's share of such expense shall be proportionate to the ratio between the total quantity of potatoes handled during

a fiscal period by him as the first handler thereof and the total quantity of potatoes handled during such fiscal period by all handlers as first handlers thereof.

§ 959.41 Budget. At the beginning of each fiscal period and as may be necessary thereafter, the committee shall prepare an estimated budget of income and expenditures necessary for the administration of this part. The committee may recommend to the Secretary a rate or rates of assessment calculated to provide adequate funds to defray its proposed expenditures. The committee shall present such budget to the Sccretary with an accompanying report showing the basis for its calculations.

§ 959.42 Assessments. (a) The funds to cover such expenses shall be acquired by the levying of assessments upon handlers as provided in this subpart. Each handler who first handles potatoes shall pay assessments to the committee upon demand, which assessments shall be in payment of such handler's pro rata share of the committee's expenses.

(b) Assessments shall be levied upon handlers at rates established by the Secretary. Such rates may be established upon the basis of the committee's recommendations and other available information. Such rates may be applied equitably to each pack or unit.

(c) At any time during or subsequent to a given fiscal period the committee may recommend the approval of an amended budget and an increase in the rate of assessment. Upon the basis of such recommendations, or other available information, the Secretary may approve an amended budget and increase the rate of assessment. Such increase shall be applicable to all potatoes which were regulated under this part and which were handled by the first handler thereof during such fiscal period.

§ 959.43 Accounting. (a) All funds received by the committee pursuant to the provisions of this subpart shall be used solely for the purposes specified in this part.

(b) The Secretary may at any time require the committee, its members and alternates, employees, agents, and all other persons to account for all receipts and disbursements, funds, property, or records for which they are responsible. Whenever any person ceases to be a member or alternate of the committee he shall account for all receipts, disbursements, funds, and property (including but not being limited to books and other records) pertaining to such committee's activities for which he is responsible and deliver all such property and funds in his hands to such successor, agency or person as may be designated by the Secretary, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in the designated successor, agency or person the right to all such property and funds and all claims vested in such member or alternate.

(c) The committee may make recommendations to the Secretary for one or more of the members thereof, or any other person, to act as a trustee for holding records, funds, or any other com-

mittee property during periods when regulations are not in effect and, if the Secretary determines such action appropriate, he may direct that such person or persons shall act as trustee or trustees for the committee.

§ 959.44 Refunds. At the end of each fiscal period monies arising from the excess of accessments over expenses shall be accounted for as follows:

(a) Each handler entitled to a proportionate refund of the excess assessments at the end of a fiscal period shall be credited with such refund against the operation of the following fiscal period unless he demands payment thereof, in which event such proportionate refund

shall be paid to him; or

(b) The Secretary, upon recommendation of the committee, may determine that it is appropriate for the maintenance and functioning of such committee that some of the funds remaining at the end of a fiscal period which are in excess of the expenses necessary for operation during such period may be carried over into following periods as a recerve for possible liquidation. Upon approval by the Secretary, such reserve may be used upon termination of this part to liquidate the affairs of the committee: Provided, That upon termination of this part any monies in the recerve for liquidation which are not required to defray the necessary expenses of liquidation shall to the extent practical be returned upon a pro rata basis to all persons from whom such funds were collected.

RESEARCH AND DEVELOPMENT

§ 959.47 Research and development. The committee, with the approval of the Secretary, may provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of potatoes.

REGULATION

§ 959.50 Marketing policy—(a) Preparation. Prior to each marketing season the committee shall consider and prepare a proposed policy for the marketing of potatoes. In developing its marketing policy the committee shall investigate relevant supply and demand conditions for potatoes. In such investigations the committee shall give appropriate consideration to the following:

(1) Market prices for potatoes, including prices by grade, size, quality, and maturity in different packs, or any other shipping unit;

(2) Supply of potatoes by grade, size, quality, and maturity in the production area and in other production areas;

- (3) The trend and level of consumer income:
- (4) Establishing and maintaining orderly marketing conditions for potatess;
- (5) Orderly marketing of potatoes as will be in the public interest; and
 - (6) Other relevant factors.
- (b) Reports. (1) The committee shall submit a report to the Secretary setting forth the aforesaid marketing policy and it shall notify producers and handlers of the contents of such report.

- (2) In the event it becomes advisable to shift from such marketing policy because of changed supply and demand conditions, the committee shall prepare a new marketing policy in accordance with the manner previously outlined. The committee shall submit a report thereon to the Secretary and notify producers and handlers of the contents of such report on the revised or amended marketing policy.
- § 959.51 Recommendations for regulations. The committee shall recommend to the Secretary grade, size, quality, and maturity regulations, or amendments thereto, or modifications thereof, whenever it finds that such regulations as provided in § 959.52 will tend to effectuate the declared policy of the act. The committee also may recommend modification, suspension, or termination of any regulation, or amendments thereto, in order to facilitate the handling of potatoes for the purposes authorized in § 959.54. The committee may also recommend amendment, termination, or suspension of any regulation issued under this part.
- § 959.52 Issuance of grade, size, quality, and maturity regulations. (a) The Secretary shall limit the shipment of potatoes whenever he finds from the recommendations and information submitted by the committee, or from other available information, that such regulation would tend to effectuate the declared policy of the act. Such limitation may
- (1) Regulate in any or all portions of the production area, the handling of particular grades, sizes, qualities, or maturity of any or all varieties of table stock or of seed potatoes, or both, during any period: or
- (2) Regulate the handling of particular grades, sizes, qualities, or maturity of potatoes differently, for different varities, for table stock potatoes, for seed potatoes, for different portions of the production area, for different packs, or for any combination of the foregoing, during any period; or
- (3) Regulate the handling of potatoes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity.
- (b) The Secretary may amend any regulation issued under this subpart whenever he finds that such regulation would tend to effectuate the declared policy of the act. The Secretary may also terminate or suspend any regulation whenever he finds that such regulation obstructs or no longer tends to effectuate the declared policy of the act.
- (c) The Secretary shall notify the committee of any such regulation issued pursuant to this section and the committee shall give reasonable notice thereof to handlers.
- § 959.53 Minimum quantities. The committee, with the approval of the Secretary, may establish, for any or all portions of the production area, minimum quantities below which shipments will be free from regulations issued pursuant to §§ 959.40 to 959.60, inclusive.
- § 959.54 Handling for specified purposes. (a) The Secretary upon the basis of recommendations of the com-

- mittee, or upon the basis of other available information, may modify, suspend, or terminate regulations issued pursuant to §§ 959.40 to 959.60, inclusive, in order to facilitate the handling of potatoes for the purposes specified below, whenever he finds that such actions tend to effectuate the declared policy of the act. Adequate safeguards may be established pursuant to paragraph (c) of this section to prevent such shipments from entering channels of trade for other than the specified purposes:
- (1) Shipments of potatoes for the purpose of having such potatoes graded or stored within the production area generally or within any specified portions thereof:
- (2) Shipments of potatoes for export;(3) Shipments of potatoes for distribution by relief agencies, or for con-
- sumption by charitable institutions;
 (4) Shipments of potatoes for the purpose of having such potatoes manufactured or converted into specified products or by-products;
- (5) Shipments of potatoes for livestock feed within the production area generally or any specified portions thereof; and
 - (6) For other specified purposes.
- (b) Whenever the handling of seed potatoes is not subject to the same regulations as is the handling of table stock potatoes, issued pursuant to §§ 959.40 to 959.60, inclusive, the committee, with the approval of the Secretary, may prescribe adequate safeguards, pursuant to paragraph (c) of this section, to prevent diversion of such shipments from seed potato channels.
- (c) The committee, with the approval of the Secretary, may prescribe adequate safeguards, authorized by paragraphs (a) and (b) of this section, which safeguards may include requirements that:
- (1) Handlers shall file applications with the committee to handle potatoes pursuant to this section;
- (2) Handlers shall obtain Federal-State inspection provided by § 959.60 and pay the pro rata share of expenses provided by § 959.41 in connection with potatoes handled under the provisions of this section: Provided, That such inspection and payment of expenses may be required at different times than otherwise specified by the aforesaid sections; and
- (3) (i) Handlers shall obtain Certificates of Privilege from the committee for potatoes to be handled under the provisions of this section. The committee, with the approval of the Secretary, shall prescribe rules governing the issuance and the contents of such Certificates of Privilege.
- (ii) The committee shall make monthly reports to the Secretary showing the number of applications for such certificates, the quantity of potatoes covered by such applications, the number of such applications denied and certificates granted, the quantity of potatoes handled under duly issued certificates, and such other information as may be requested by the Secretary. The committee may rescind or deny Certificates of Privilege to any handler if evidence is obtained that potatoes handled by him

- for the purposes stated in this section have been diverted from such purposes contrary to the provisions of this subpart.
- (d) (1) The Secretary shall give prompt notice to the committee of any modification, suspension or termination of regulations pursuant to this section, or of any approval issued by him under the provisions of this section.
- (2) The Secretary shall have the right to modify change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.

INSPECTION AND CERTIFICATION

- § 959.60 Inspection and certification.
 (a) During any period in which the handling of potatoes is regulated pursuant to §§ 959.42, 959.52, or 959.54, or any combination thereof, no handler shall handle potatoes unless such potatoes are inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, and are covered by a valid inspection certificate, except when relieved from such requirements pursuant to § 959.53 or § 959.54 or both.
- (b) Regrading, resorting, or repacking any lot of potatoes shall invalidate any prior inspection certificates insofar as the requirements of this section are concerned. No handler shall handle potatoes after they have been regraded, resorted, repacked, or in any way further prepared for market, unless such potatoes are inspected by an authorized ropresentative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate: Provided, That such inspection requirements on regraded, resorted, or repacked potatoes may be modified, suspended, or terminated under rules and regulations recommended by the committee, and approved by the Secretary.
- (c) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.
- (d) When potatoes are inspected in accordance with the requirements of this section, a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

EXEMPTIONS

- § 959.65 Procedure. The committee may adopt, subject to approval of the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers or handlers.
- § 959.66 Granting exemptions. The committee may issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to the committee: (1) that by reason of a regulation issued pursuant to § 959.52 he will be prevented from handling as large a proportion of his production as the average proportion of production handled by all producers in said applicant's immediate production area, and (2) that the grade, size, or quality of the applicant's potatoes have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation.

certificate shall permit the producer to handle the amount of potatoes specified thereon. Such certificates shall be transferred with such potatoes at time of shument.

(b) The committee may issue certificates of exemption to any handler who applies for such exemption and furnishes adequate evidence to the committee: (1) That by reason of a regulation issued pursuant to § 959.52 he will be prevented from handling as large a proportion of his storage holdings of ungraded potatoes, acquired during or immediately following the digging season, as the average proportion of ungraded storage holdings handled by all handlers in said applicant's immediate shipping area; and (2) that the grade, size, or quality of the applicant's potatoes have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation. Each certificate shall permit the handler to handle the amount of potatoes specified thereon. Such certificate shall be transferred with such potatoes at time of shipment.

(c) The committee shall be permitted at any time to make a thorough investigation of any producer's or handler's claim pertaining to exemptions.

§ 959.67 Appeal. If any applicant for exemption certificates is dissatisfied with the determination by the committee with respect to his application, said applicant may file an appeal with the committee. Such an appeal must be taken promptly after the determination by the committee from which the appeal is taken. Any applicant filing an appeal shall furnish evidence satisfactory to the committee for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination concerning the application. The committee shall notify the appellant of the final determination and shall furmish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determi-

§ 959.68 Review, records, and reports of exemptions. (a) The Secretary shall have the right to modify, change, alter, or rescind any procedure and any exemptions granted pursuant to §§ 959.65, 959.66, 959.67, or any combination thereof

(b) The committee shall maintain a record of all applications submitted for exemption certificates, a record of all exemption certificates issued and denied and the quantity of potatoes covered by such exemption certificates, a record of the amount of potatoes handled under exemption certificates, a record of appeals for reconsideration of applications, and such information as may be requested by the Secretary. Periodic reports on such records shall be compiled and issued by the committee upon request of the Secretary.

EFFECTIVE TIME AND TERMINATION

§ 959.70 Effective time. (a) The provisions of this subpart shall become effective at such time as the Secretary may declare above his signature at-

tached to this subpart, and shall continue in force until terminated in one of the ways specified in this subpart.

(b) All rules and regulations issued by the Secretary pursuant to this part (Order No. 59, as amended), which are meffect immediately prior to the date of this amendment shall continue in effect under this subpart as originally issued, or subsequently modified, until such rules and regulations are changed, medified, or suspended in accordance with this subpart.

§ 959.71 Termination. (a) The Secretary may at any time terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal period whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal period, have been engaged in the production for market of potatoes: Provided, That such majority has, during such period, produced for market more than fifty percent of the volume of such potatoes produced for market; but such termination shall be effective only if announced on or before June 30 of the then current fiscal period.

(d) The provisions of this subpart shall in any event terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 959.72 Proceedings after termination. (a) Upon the termination of the provisions of this subpart, the then functioning members of the committee shall continue as trustees, for the purpose of liquidating the affairs of the committee, of all the funds and property then in the possession of or under control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(b) The said trustees shall continue in such capacity until discharged by the Secretary' shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant to this subpart.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

9 959.73 Effect of termination or amendment. Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendments to either thereof, shall not: (a) Affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart; (b) release or extinguish any violation of this subpart or of any regulation issued under this subpart; or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

INSCELLANEOUS PROVISIONS

§ 959.00 Reports. Upon the request of the committee, with approval of the Secretary, every handler shall furnish to the committee, in such manner and at such time as may be prescribed, such information as will enable the committee to exercise its powers and perform its duties pursuant to this subpart. The Secretary shall have the right to modify, change, or rescind any requests for reports pursuant to this section.

§ 959.81 Compliance. Except as provided in this subpart, no handler shall handle potatoes, the handling of which has been prohibited by the Secretary in accordance with provisions of this subpart, and no handler shall handle potatoes except in conformity to the provisions of this subpart.

§ 959.82 Right of the Secretary. The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 959.83 Duration of immunities. The benefits, privileges, and immunities conferred upon any persons by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 959.84 Agents. The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any agency in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 959.25 Derogation. Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers,

action is deemed advisable.

§ 959.86 Personal liability. No member or alternate of the committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever to any handler or any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

§ 959.87 Separability. If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 959.88 Amendments. Amendments to this subpart may be proposed from time to time, by the committee or by the Secretary.

Issued at Washington, D. C., this 16th day of September 1955, to be effective on and after 12:01 a.m., p. s. t., September 21, 1955.

[SEAL]

EARL L. BUTZ. Assistant Secretary.

[F. R. Doc. 55-7647; Filed, Sept. 20, 1955; 8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I-Civil Aeronautics Board

[Reg. SR-386C1

PART 41-CERTIFICATION AND OPERATION Rules for Scheduled Air Carrier OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

SPECIAL CIVIL AIR REGULATION: FLIGHT TIME LIMITATIONS FOR PILOTS NOT REGULARLY ASSIGNED TO ONE TYPE OF CREW

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 16th day of September 1955.

Special Civil Air Regulation SR-386B which terminates September 19, 1955, provides authority whereby a pilot may serve in more than one type of flight crew without incurring any penalty in terms of maximum permissive flight duty. This authority has heretofore been provided for an experimental period with a view to the establishment of permanent rules for such crew assignments.

The Civil Aeronautics Administration has advised the Board that the regulation is a desirable one and not subject to abuse, and that it recommends that the authority granted by SR 386B be continued. Since a proposed major revision of Part 41 of the Civil Air Regulations is being prepared for publication, the Board considers that it is advisable to extend the authority granted by SR-386B for another year rather than to incorporate this authority in currently effective Part 41. During the development of the revision of Part 41 further consideration and discussion will be

to act in the premises whenever such given concerning the permanent incorporation of such a provision.

This regulation will not allow evasion of the stricter limitations applicable to smaller crew combinations, but will allow assignment of a pilot in any given month to another type of crew combination without additional flight time limitation if he flies not more than 20 hours in the type of crew to which the more restrictive flight time limitations apply and if such assignment is not interrupted more than once during such month.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since this regulation imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective September 19, 1955.

1. Contrary provisions of § 41.57 of the Civil Air Regulations notwithstanding, the following rules shall apply to the monthly and quarterly flight time limitations of pilots assigned in combinations of two-pilot crews. two-pilot and additional flight crew member crews, or three-pilot and additional flight crew member crews;

2. A pilot who is assigned to duty aloft for more than 20 hours in two-pilot crews in a given month, or whose assignment in such crews is interrupted more than once in the month by assignment to a crew consisting of two or more pilots and an additional flight crew member, shall be governed by the provisions of § 41.54.

3. Except for a pilot coming within the provisions of paragraph 2, a pilot who is assigned to duty aloft for more than 20 hours in two-pilot and additional flight crew member crews in a given month, or whose assignment in such crews is interrupted more than once in the month by assignment to a crew consisting of three pilots and an additional flight crew member, shall be governed by the provisions of § 41.55.

4. A pilot to whom the provisions of paragraphs 2 and 3 are not applicable, assigned to duty aloft for a total of 20 hours or less within a given month in two-pilot crews with or without additional flight crew members, shall be governed by the provisions of

5. A pilot assigned to each of two-pilot, two-pilot and additional flight crew member, and three-pilot and additional flight crew member crews in a given month, who is not governed by the provisions of paragraphs 2, 3, or 4, shall be governed by the provisions of § 41.55.

This regulation supersedes Special Civil Air Regulation No. SR-386B and shall terminate September 30, 1956, unless sooner superseded or rescinded by the Board.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 604, 52 Stat. 1007, as amended, 1008, 1010; 49 U. S. C. 551, 552, 554)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN, Secretary.

[F. R. Doc. 55-7648; Filed, Sept. 20, 1955; 8:51 a. m.]

Chapter II-Civil Aeronautics Administration, Department of Commerce

[Amdt. 133]

PART 608-RESTRICTED AREA

ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date, provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

- 1. In § 608.30, the Lake Margrethe, Michigan, area (R-362 formerly D-362), published on May 3, 1952, in 17 F R. 4104, is further amended by changing "Controlling Agency" column to the read. "Adjutant General, State of Michıgan."
- 2. In § 608.30, the Camp Grayling, Michigan, area (R-373 formerly D-373), published on May 3, 1952, in 17 F R. 4104, is further amended by changing the "Controlling Agency" column to read: "Adjutant General, State of Michigan."
- 3. In § 608.31, the Upper Red Lake Minnesota, area (R-406 formerly D-406), amended on May 3, 1952, in 17 F R. 4104, is further amended by changing the "Controlling Agency" column to read: "Adjutant General, State of Minnesota."
- 4. In § 608.31, the Camp Ripley, Minnesota, area (R-191 formerly D-191), amended on May 3, 1952, in 17 F. R. 4104, is further amended by changing the "Controlling Agency" column to read: "Adjutant General, State of Minnesota."
- 5. In § 608.49, the Scenic, South Da-kota, area (R-190 formerly D-190), amended on November 24, 1953, in 18 F R. 7492, is further amended by changing the "Time of Designation" column to read: "Continuous"

Note: The Department of Air Force stated that the area will be used day and night only during VFR weather conditions.

- 6. In § 608.57, the Haven, Wisconsin, area (R-84 formerly D-84), amended on November 22, 1952, in 17 F. R. 10643, is further amended by changing the "Controlling Agency" column to read: "Commanding Officer, Camp Haven, Wiscon-
- 7. In § 608.57, the Camp McCoy, Wisconsin, area (R-200 formerly D-200), amended on January 26, 1951, in 16 F R. 713. is further amended by changing the "Controlling Agency" column to read: "Commanding General, Camp McCoy, Wisconsin,"

(Sec. 205, 52 Stat. 984, as amended; 49 U.S. C. 425. Interpret or apply Sec. 601, 52 Stat. 1007, as amended; 49 U.S. C. 551) This amendment shall become effective on September 25, 1955.

[SEAL] F B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-7641; Filed, Sept. 20, 1955; 8:50 a.m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 120—TOLERANCES AND EXCLIPTIONS
FROM TOLERANCES FOR PESTICIDE
CHEMICALS IN OR ON RAW AGRICULTURAL
COMMODITIES

TOLERANCE FOR RESIDUES OF 3-(3,4-DICHLOROPHENYL) 1,1-DIMETHYLUREA

On June 10, 1955, a petition was filed with the Food and Drug Administration requesting the establishment of a tolerance for residues of 3-(3,4-dichlorophenyl) 1,1-dimethylurea in or on certain raw agricultural commodities.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance

is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 403 (d) (2), 68 Stat. 512; 21 U.S. C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7 (g) 20 F. R. 759) the regulations for tolerances and exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120; 20 F. R. 1473) are amended by adding the following new section:

§ 120.106 Tolerance for residues of 3-(3,4-dichlorophenyl) 1,1-dimethylurea. A tolerance of 1.0 part per million for residues of 3-(3,4-dichlorophenyl) 1,1-dimethylurea is established in or on the following raw agricultural commodities: Cottonseed, pineapple, and sugarcane.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies sec. 403, 68 Stat. 511; 21 U. S. C. Sup. 346a)

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date of this order, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW, Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, shall specify with particularly the provisions of the order deemed objectionable and reasonable grounds for the objections, and may request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order chall be effective upon publication in the Feneral Register.

Dated: September 15, 1955.

[SEAL] GEO. P. LARRICK, Commissioner of Food and Drugs.

[F. R. Doc. 55-7636; Filed, Sept. 20, 1855; 8:49 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 203—BRIDGE REGULATIONS

PART 207-NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of Section 1 of the Act of April 22, 1940 (54 Stat. 150; 33 U. S. C. 180) § 202.90 (d) establishing a special anchorage area is hereby revoked, as follows:

§ 202.90 San Diego Harbor, Calif.

(d) Area A-4. [Revoked.]

[Regs., Aug. 30, 1955, 800.212 (San Diego Bay, Calif.)-ENGWO] (Sec. 1, 54 Stat. 150; 33 U. S. C. 180)

2. Pursuant to the provisions of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S. C. 499), § 203.560 (f) governing the operation of drawbridges across the Mississippi River and tributaries where constant attendance of draw tenders is not required is hereby amended prescribing regulations for the Missouri Pacific Railroad Company bridge across the Black River near Corning, Arkansas, as follows:

§ 203.560 Lississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required. • • •

(f) Lower Mississippi River. • • •

(24) Black River, Ark., Arkansas Highway Department bridge at Corning and Missouri Pacific Railroad Company bridge near Corning. The draws need not be opened for the passage of vexcels, and paragraphs (b) to (e), inclusive, of this section shall not apply to these bridges.

[Regs., Aug. 30, 1955, 823.01 (Block River, Ark.)-ENGWO] (Sec. 5, 28 Stat. 262; 33 U. S. C. 499)

3. Pursuant to the provisions of Section 7 of the River and Harbor Act of August 3, 1917 (40 Stat. 266; 33 U.S. C. 1), § 207.305 is hereby prescribed to govern the use and navigation of a restricted area in Holston River at the Holston Ordnance Works, Kingsport, Tennessee, as follows:

§ 207.305 Holston River at Holston Ordnance Works, Kingsport, Tennessec; restricted area—(a) The area. That portion of Holston River within the boundaries of the Government reservation. (b) The regulations. (1) Except in cases of extreme emergency, all vessels other than those owned or controlled by the United States Government are prohibited from entering the area without prior permission of the enforcing agency.

(2) The regulations in this section shall be enforced by the Commanding Officer of the Holston Ordnance Works, Kingsport, Tennessee, and such agencies as he may designate.

[Regg., Aug. 30, 1955, 890,2121 (Holston River, Tenn.)-ENGWO] (Sec. 7, 49 Stat. 263; 33 U. S. C. 1)

[SEAL] JOHN A. KLEIN, Major General, U. S. Army, The Adjutant General.

[F. R. Dec. 55-7615; Filed, Sept. 29, 1955; 8:45 a. m.]

TITLE 42-PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

Subchaptor E-Followships, Internships, Training

PART 61-FELLOWSHIPS

PART 63—NATIONAL INSTITUTES OF HEALTH TRAINIESHIPS

DEHIEFITS; CONDITION TO PAYMENTS; CONDITIONS OF AWARD

Notice of proposed rule making and public rule making proceedings have been omitted in the issuance of these amendments because they relate to grants or benefits.

1. Paragraph (e) of § 61.9 is hereby amended to read as follows:

(e) Condition to payments; regular fellowships. In addition to any requirements imposed under the authority of the Atomic Energy Act of 1946, as amended, or under the authority of the Department of Defense and applicable to any individual receiving a regular fellowship under the regulations in this part, no payments either for stipends, expenses or other benefits shall be made to any individual receiving a regular fellowship unless such individual has subscribed to and filed with the Public Health Service a statement that he does not advocate, and is not a member of and does not support any organization that advocates or teaches, the overthrow of the United States Government by force or violence or by any illegal or unconstitutional methods, and, except when an alien owing allegiance to other than the United States, that he will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic.

(Sec. 215, 53 Stat. 630, as amended; 42 U. S. C. 216. Interprets or applies cess. 203, 201, 402, 53 Stat. 635, as amended, 631, as amended, 707, as amended, ee. 3, 62 Stat. 464, 593; 42 U. S. C. 203, 241, 262, 2676, 2833)

- 2. Paragraph (c) of § 63.5 is hereby amended to read:
- (c) In addition to any requirements imposed under the authority of the

Atomic Energy Act of 1946, as amended, or under the authority of the Department of Defense and applicable to any individual receiving an award under the regulations in this part, no payments shall be made to any individual receiving such an award, unless such individual has subscribed to and filed with the Public Health Service a statement that he does not advocate, and is not a member of and does not support any organization that advocates or teaches, the overthrow of the United States Government by force or violence or by any illegal or unconstitutional methods, and, except when an alien owing allegiance to other than the United States, that he will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic.

(Sec. 215, 58 Stat. 690, as amended; 42 U. S. C. 216. Interprets or applies secs. 301, 303, 402, 403, 58 Stat. 691, as amended, 707, as amended, sec. 7, 60 Stat. 423, sec. 3, 62 Stat. 469, 598, sec. 2, 64 Stat. 444; 42 U. S. C. 241, 242a, 282, 283, 287a, 288a, 289c)

3. The foregoing amendments shall become effective on September 15, 1955.

Dated: September 8, 1955.

[SEAL] W PALMER DEARING, Acting Surgeon General.

Approved: September 15, 1955.

M. B. Folsom, Secretary.

[F. R. Doc. 55-7637; Filed, Sept. 20, 1955; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter 1—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders
[Public Land Order 1224]
[Misc. 57345, 60446]

ALASKA

REVOKING EXECUTIVE ORDER OF DECEMBER 9, 1903 AND EXECUTIVE ORDER 1229 OF JULY 15, 1910; PARTIALLY REVOKING EXECUTIVE ORDER OF JANUARY 4, 1901

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The Executive order of December 9, 1903, and Executive Order No. 1229 of July 15, 1910, withdrawing the following-described public lands in Alaska for naval purposes, are hereby revoked:

EXECUTIVE ORDER OF DECEMBER 9, 1903

KISKA AND LITTLE KISKA ISLANDS

All tracts and parcels of land in Alaska situate on the group of islands including Kiska Island, Little Kiska Island, and all the adjacent islets and rocks, lying between the parallels of 51° 30′ and 52° 15′ north latitude, and the meridians 176° 45′ and 177° 50′ east longitude, as shown on the U. S. Coast and Geodetic Survey chart No. 9100, edition of May 1902.

The area described contains 73,701.76 acres of land; 1,463,065.44 acres of water.

EXECUTIVE ORDER NO. 1229
CORDOVA BAY

Beginning at the most western angle of the survey of the Nelson townsite, and running thence South 44° east with the line of the wharf and dock area 920 feet to a point; thence South 46° west in Orca Bay 4140 feet, to point near the west shore of the bay; thence North 44° west 2,640 feet to a point of land; thence North 46° east 5,280 feet to a point; thence South 44° east 1,720 feet to the boundary of the said townsite; thence with said boundary southwesterly 1,140 feet to the point of beginning.

The area described contains approximately 296 acres.

2. The Executive order of January 4, 1901, withdrawing certain public land in Alaska for light-house purposes is hereby revoked so far as it refers to Unalga Island and the Sea Gull Rocks adjacent.

The areas described contain 761.92 acres.

Kiska, Little Kiska, and Unalga Islands, are within the Aleutian Island National Wildlife Refuge. The lands at Cordova Bay are within the Chugach National Forest, having been reserved for such use by the Proclamation of July 23, 1907, as amended, and shall become subject to the public-land laws relating to national forest lands at 10:00 a.m. on the 35th day from the date of this order.

DOUGLAS McKAY, Secretary of the Interior

SEPTEMBER 14, 1955.

[F. R. Doc. 55-7616; Filed, Sept. 20, 1955; 8:45 a. m.]

TITLE 47—TELECOMMUNI-CATION

Chapter I—Federal Communications Commission

[Rules Amdts. 2-5, 3-56] [Docket No. 11140; FCC 55-931]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 3-RADIO BROADCAST SERVICES

FREQUENCY ALLOCATIONS IN ALASKA

In the matter of amendment of Parts 2 and 3 of the Commission's rules and regulations to revise frequency allocations in the Territory of Alaska in the band 72–100 Mc, Docket No. 11140.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of September 1955;

The Commission having under consideration its proposal in the above-entitled matter; and

It appearing that in accordance with the requirements of Section 4 (a) of the Administrative Procedure Act, Notice of Proposed Rule Making in this matter, which made provision for the submission of written comments by interested parties, was duly published in the Federal Register on August 24, 1954 (19 F R. 5378) and that the period for the filling of comments has now expired; and

It further appearing that the only comment received by the Commission in this proceeding favored the adoption of the Commission's proposal, and

It further appearing that the public interest, convenience and necessity will be served by the amendments herein ordered, the authority for which is contained in sections 303 (c) (f), (g) and (r) of the Communications Act of 1934, as amended.

It is ordered, That, effective October 12, 1955, Parts 2 and 3 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1092, as amended; 47 U. S. C. 303)

Released: September 12, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

1. Amend Part 2, Frequency Allocations and Radio Treaty Matters: General Rules and Regulations, § 2.104, Frequency allocations, paragraph (a) (5) in the following respects:

a. Add footnote indicator (US32) in Column 5 under 72-76 Mc and insert the following text of new footnote US32:

US32 In the Territory of Alaska, Government stations in the fixed service may be authorized to use frequencies in the band 72-76 Mc, on the condition that harmful interference will not be caused to the reception of TV channel 4.

b. Add footnote indicator (US33) in Column 5 under 76–88 Mc and 88–108 Mc and insert the following text of new footnote US33:

US33 In the Territory of Alaska, the frequency bands 76–88 Me and 88–100 Me are allocated to Government radio services and the non-Government fixed service.

2. Amend Part 3, Radio Broadcast Services in the following respects:

a. Amend § 3.203 (b) of Subpart B, Rules Governing FM Broadcast stations, to include reference to a paragraph (d) by revising the text preceding the table to read as follows:

(b) The following frequencies, except as provided in paragraphs (c) and (d) of this section, are designated as Class A channels and are assigned for use by Class A stations:

b. Amend §3.203 of Subpart B, Rules Governing FM Broadcast stations, by adding a new paragraph (d) to read as follows:

(d) In the Territory of Alaska the frequency band 88-100 Mc is allocated to Government radio services and the non-Government fixed service only. The frequencies 88.1 Mc through 99.9 Mc (Channels 201 through 260 inclusive) will not be assigned in the Territory of Alaska for use by FM Broadcast stations,

c. Amend § 3.204 (b) of Subpart B, Rules Governing FM Broadcast Stations, to include reference to a paragraph (d) by revising the text preceding the table to read as follows:

(b) The following frequencies, except as provided in paragraphs (c) and (d) of this section, are designated as Class B

channels and are assigned for use by Class B stations:

- d. Amend § 3.204 of Subpart B, Rules Governing FM Broadcast Stations, by adding a new paragraph (d) to read as follows:
- (d) In the Territory of Alaska the frequency band 88–100 Mc is allocated exclusively to Government radio services and the non-Government fixed service. The frequencies 88.1 Mc through 99.9 Mc (Channels 201 through 260 inclusive) will not be assigned in the Territory of Alaska for use by FM Broadcast stations.

e. Amend § 3.603 (b) of Subpart E, Rules Governing Television Broadcast Stations, by adding Alaska. As amended, § 3.603 (b) reads as follows:

(b) In the Territories of Alaska and Hawaii the frequency bands 76-82 Mc and 82-88 Mc are allocated for non-Broadcast use. These frequency bands (Channels 5 and 6) will not be assigned in the Territories of Alaska or Hawaii for use by TV Broadcast stations.

[F. R. Doc. 55-7644; Flied, Sept. 20, 1955; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Division of Public Contracts
I 41 CFR Part 202 1

- Prevailing Minimum Wages in Battery Industry

NOTICE OF PUBLIC HEARING

This matter is before the Department pursuant to the Act of June 20, 1936 (49 Stat. 2036; 41 U. S. C. sec. 35 et seq.), known as the Walsh-Healey Public Contracts Act.

The Battery Industry is defined for purposes of this hearing as that industry which manufactures or furnishes all types of electric batteries including lead-acid storage batteries or plates therefor; dry primary batteries; all other batteries or parts therefor except glass containers and porcelain covers for wet

primary batteries.

Now, therefore, notice is hereby given that a public hearing will be held on the 18th day of October 1955, beginning at 10:00 a.m. in Room 2203, United States Department of Labor Building, Fourteenth and Constitution Avenue NW., Washington, D. C., before the Secretary of Labor or a duly assigned Hearing Examiner, at which hearing all interested parties may appear and submit data, views and arguments (1) as to the propriety of the proposed definition of the industry. (2) as to what are the prevailing wages in the industry. (3) as to whether a single determination is appropriate for all the products of the industry. (4) as to whether a single determination for all the area in which the industry operates or separate determinations for smaller geographic areas (including the appropriate limits of such areas) should be determined for this industry. (5) as to whether there should be included in any determination for this industry provision for the employment of learners, beginners or apprentices at subminimum rates and on what terms or limitations, if any, such employment should be permitted. Employment and wage data have been prepared in the Department of Labor for consideration at the hearing and will be made available to interested parties upon request.

Persons intending to appear are requested to notify the Administrator,

Wage and Hour and Public Contracts Divisions, of their intention in advance of the hearing.

Written statements of position or argument may be filed with the Administrator at any time prior to the date of the hearing by persons who cannot appear personally. An original and three copies of any such statement shall be filed and shall include the reason or reasons for non-appearance. Such statements as contain factual matter shall be sworn to and will be offered in evidence at the hearing. If cojection is made to any such offer, the statement will be received in evidence subject to the objection which will be considered to affect the weight rather than the admissibility of the statement.

The following information is particularly invited with respect to the subject matter of the testimony or statements of each witness: (1) The identity of any product not now included in the definition of the industry which should be included and of any products now included which should not be included; (2) the number of workers covered in the presentation; (3) the number and location of establishments in the industry; (4) the minimum rates paid and the number of workers receiving such rates and the occupations in which they are employed; (5) the minimum wages paid to apprentices, learners or beginners; the scale of wages paid during the apprenticeship, learning or probationary period; the length of such periods; the number of workers receiving such wages and the occupations in which they are employed; and (6) the extent to which there is competition in this industry between plants in different geographical areas.

To the extent possible, data should be submitted in such manner as to permit evaluation thereof on a plant by plant basis.

This hearing shall be conducted pursuant to the rules of practice set forth in Part 203, Subpart C (41 CFR Part 203).

Signed at Washington, D. C., this 16th day of September 1955.

ARTHUR LARSON, Acting Secretary of Labor.

[F. R. Doc. 55-7643; Filed, Sept. 20, 1955; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 29]

TOPACCO INSPECTION

AMMOUNCEMENT OF REFERENDA IN CONNECTION WITH PROPOSED DESIGNATIONS UNDER TOFACCO MISPECTION ACT OF TO-BACCO AUCTION MARKETS OF HENDERSON, RY, AND GATE CITY, VA.

Pursuant to the provisions of The Tobacco Inspection Act (7 U. S. C. 511 et seq.) and in accordance with the applicable regulations (7 CFR 29.74) issued thereunder by the Secretary, notice is given that referenda of tobacco growers will be conducted from October 6 through October 8, 1955, to determine whether growers favor the designations of the Henderson, Kentucky, and Gate City, Virginia, tobacco auction markets for free and mandatory inspection of tobacco sold on these markets.

Growers who sold tobacco on the aforesaid markets during the 1954-55 marketing season shall be eligible to vote in the referendum relevant to the market on which their sales were accomplished. Eallots for use in said referenda will be mailed to all eligible voters insofar as their names and addresses are known. Eligible voters who do not receive ballots by mail may obtain them from the county agent or the office of the county ASC committee at the above points.

All completed ballots shall be mailed to the Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, 620 South Broadway, Lexington, Kentucky, and, in order to be counted in said referendly, most be postmarked not later than midnight, October 8, 1955.

Done at Washington, D. C., this 15th day of September 1955.

[SEAL]

Roy W. Lemmartson, Deputy Administrator.

[F. R. Doc. 55-7632; Filed, Sept. 20, 1955; 8:49 a. m.]

[7 CFR Part 51]

GRAPEFRUIT (TENAS AND STATES OTHER THAN FLORIDA, CALIFORNIA AND ARIZONA) ¹

U. S. STANDARDS

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Grapefruit (Texas and States other than Florida, California and Arizona) (7 CFR Part 51; 19 F. R. 4435) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1037 et seq., 7 U. S. C. 1621 et seq.).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same

^{*}Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provicions of the Federal Food, Drug, and Connecte Act.

with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building. Washington 25, D. C., not later than 15 days after publication hereof in the FED-ERAL REGISTER.

The proposed standards are as follows:

oec.	
51.620	U.S. Fancy.
	U. S. No. 1.
	U. S. No. 1 Bright.
51.623	U.S. No. 1 Bronze.
51.624	U. S. Combination.
51.625	T. S. No. 2.
51.626	U.S. No. 2 Russet.
51.627	U. S. No. 3.

UNCLASSIFIED

51.628 Unclassified.

TOLERANCES

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51.629
       Tolerances.
51.630
       U. S. Fancy Grade.
        U. S. No. 1 and U. S. No. 1 Bright
51.631
          Grades.
        U. S. No. 1 Bronze Grade.
51.632
        U.S. Combination Grade.
51.633
51.634
        U. S. No. 2 Grade.
        U. S. No. 2 Russet Grade.
51.635
        U.S. No. 3 Grade.
51.636
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APPLICATION OF TOLERANCES

51.637 Application of tolerances.

STANDARD PACK

51.638 Standard pack.

51.658 Diameter.

DEFINITIONS

Similar varietal characteristics.
Well colored.
Firm.
Well formed.
Smooth texture.
Injury.
Discoloration.
Fairly well colored.
Fairly well formed.
Fairly smooth texture.
Damage.
Fairly firm.
Slightly misshapen.
Slightly rough texture.
Serious damage.
Slightly colored.
Misshapen.
Slightly spongy.
Very serious damage.

AUTHORITY: §§ 51.620 to 51.658 issued under sec. 205, 60 Stat. 1090, 7 U.S. C. 1624.

GRADES

§ 51.620 U. S. Fancy. "U. S. Fancy" consists of grapefruit of similar varietal characteristics which are well colored, firm, well formed, mature, and of smooth texture, free from ammoniation, bird pecks, bruises, buckskin, cuts which are not healed, decay growth cracks, scab, sprayburn, and free from mury caused by green spots or oil spots, pitting, scale, scars, thorn scratches, and free from damage caused by dirt or other foreign materials, dryness or mushy condition, sprouting, sunburn, disease, insects, or mechanical or other means.

(a) In this grade not more than onetenth of the surface, in the aggregate, may be affected with discoloration. (See §§ 51.630 and 51.637.)

§ 51.621 U. S. No. 1. "U. S. No. 1" consists of grapefruit of similar varietal characteristics which are fairly well colored, firm, fairly well formed, mature, and of fairly smooth texture; free from bruises, cuts which are not healed, decay, growth cracks, sprayburn, and free from damage caused by ammoniation, bird pecks, buckskin, dirt or other foreign materials, dryness or mushy condition, green spots or oil spots, pitting, scab, scale, scars, sprouting, sunburn, thorn scratches, disease, insects, or mechanical or other means.

(a) In this grade not more than onehalf of the surface, in the aggregate, may be affected with discoloration. §§ 51.631 and 51.637.)

§ 51.622 U.S. No. 1 Bright. The requirements for this grade are the same as for U.S. No. 1 except that no fruit may have more than one-tenth of its surface, in the aggregate, affected with discoloration, (See §§ 51.631 and 51.637.)

§ 51.623 U.S. No. 1 Bronze. The requirements for this grade are the same as for U.S. No. 1 except that more than 10 percent but not more than 75 percent, by count, of the fruits shall have in excess of one-half of their surface, in the aggregate, affected with discoloration: Provided, That when the predominating discoloration on each of 75 percent or more, by count, of the fruits is caused by rust mite, all fruits may have in excess of one-half of their surface affected with discoloration. (See §§ 51.632 and 51.637.)

§ 51.624 U. S. Combination Grade. Any lot of grapefruit may be designated "U. S. Combination" when not less than 40 percent, by count, of the fruits in each container meet the requirements of U.S. No. 1 grade and the remainder U.S. No. 2 grade. (See §§ 51.633 and 51.637.)

§ 51.625 U S. No. 2. "U. S. No. 2" consists of grapefruit of similar varietal characteristics which are mature, fairly firm, not more than slightly misshapen or slightly rough, and which are free from bruises, cuts which are not healed, decay, growth cracks, and are free from serious damage caused by ammoniation, bird pecks, buckskin, dirt or other foreign materials, dryness or mushy condition, green spots or oil spots, pitting, scab, scale, scars, sprayburn, sprouting, sunburn, thorn scratches, disease, insects, or mechanical or other means.

(a) Each grapefruit may be only slightly colored.

(b) In this grade not more than twothirds of the surface, in the aggregate, may be affected with discoloration. (See §§ 51.634 and 51.637.)

§ 51.626 U S. No. 2 Russet. The requirements for this grade are the same as for U.S. No. 2 except that more than 10 percent, by count, of the fruits shall have in excess of two-thirds of their surface, in the aggregate, affected with discoloration. (See §§ 51.635 and 51.637.)

§ 51.627 U. S. No. 3. "U. S. No. 3" consists of grapefruit of similar varietal characteristics which are mature, which may be misshapen, slightly spongy, rough but not senously lumpy for the variety or seriously cracked, which are free from cuts which are not healed, and free from decay, and free from very

serious damage caused by bruises. growth cracks, ammoniation, bird pecks, caked melanose, buckskin, dryness or mushy condition, pitting, scab, scale, sprayburn, sprouting, sunburn, thorn punctures, disease, insects, or mechanical or other means.

(a) The fruit may be poorly colored but not more than 25 percent of the surface of each fruit may be of a solid dark green color. (See §§ 51.636 and 51.637.)

UNCLASSIFIED

§ 51.628 Unclassified. "Unclassified" consists of grapefruit which has not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards, but is provided as a designation to show that no definito grade has been applied to the lot.

TOLERANCES

§ 51.629 Tolerances. In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the tolerances set forth in §§ 51.630 to 51.636 are provided as speci-

§ 51.630 U.S. Fancy Grade. Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.631 U S. No. 1 and U S. No. 1 Bright Grades. Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of the grade other than for discoloration but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than onetwentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may fail to meet the requirements relating to discoloration. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.632 U S. No. 1 Bronze Grade. Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than onetwentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. No part of any tolerance shall be allowed to reduce or to increase the percentage of fruits having in excess of one-half of their surface, in the aggregate, affected with discoloration which is required in the grade, but individual containers may vary not more than 10 percent from the percentage required: *Provided*, That the entire lot averages within the percentage specified. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.633 U.S. Combination Grade. Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade other than for discoloration but not more than onehalf of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than onetwentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may have more than the amount of discoloration specified. No part of any tolerance shall be allowed to reduce for the lot as a whole the percentage of U.S. No. 1 required in the combination, but individual containers may have not more than a total of 10 percent less than the percentage of U.S. No. 1 required or specified: Provided, That the entire lot averages within the percentage specified. None of the fore-going tolerances shall apply to wormy fruit.

§ 51.634 *U.S. No. 2 Grade*. Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade other than for discoloration but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than onetwentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may fail to meet the requirements relating to discoloration. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.635 U. S. No. 2 Russet Grade. Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. No part of any tolerance shall be allowed to reduce the percentage of fruits having in excess of

two-thirds of their surface, in the aggregate, affected with discoloration which is required in this grade, but individual containers may have not more than 10 percent less than the percentage required: *Provided*, That the entire lot reverages within the percentage specified. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.636 U. S. No. 3 Grade. Not more than 15 percent, by count, of the fruits in any lot may be below the requirements of this grade but not more than one-third of this amount, or 5 percent, shall be allowed for defects other than dryness or mushy condition, and not more than one-fifth of this amount, or 1 percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. None of the foregoing tolerances shall apply to wormy fruit.

APPLICATION OF TOLERANCES

§ 51.637 Application of tolerances.
(a) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: Provided, That the averages for the entire lot are within the tolerances specified for the grade:

(1) For packages which contain more than 10 pounds, and a tolerance of 10 percent or more is provided, individual packages in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have not more than double the tolerance specified, except that at least one decayed or very seriously damaged fruit may be permitted in any package.

(2) For packages which contain 10 pounds or less, individual packages in any lot are not restricted as to the percentage of defects: Provided, That not more than one grapefruit which is seriously damaged by dryness or mushy condition or very seriously damaged by other means may be permitted in any package, and in addition, en route or at destination, not more than 10 percent of the packages may have more than one decayed fruit.

STANDARD PACK

§ 51.638 Standard pack. (a) Fruits shall be fairly uniform in size, unless specified as uniform in size. When packed in boxes, fruit shall be arranged according to the approved and recognized methods. Each wrapped fruit shall be fairly well wrapped.

shall be fairly well wrapped.

(b) All packages shall be tightly packed and well filled but the contents shall not show excessive or unnecessary bruising because of overfilled packages.

(c) When packed in 1% bushel or 1% bushel nailed boxes, each container shall show a minimum bulge of 2 inches, except that boxes packed with grapefruit of a pack size 80 or smaller need only show a bulge of 1% inches.

(d) "Fairly uniform in size" means that not more than a total of 10 percent, by count, of the fruits in any container

is outside the range of diameters given in the applicable one of the following tables 1 and 2 for the various pack sizes and size of boxes:

Table I—135 Burnel Box [Diameter in inches]

Facili c.25	Minimum	Maximum
M's or CSc	47.4.2.00 C. 1.2.00 C. 1.2.000 C. 1.2.00 C. 1.	417.0 41.0 61.0 7.4

Table II—153 buchel box

[Diameter in inches]

Fach siza	Minimum	Moximum
CTS 475 cr 475. 475 cr 475. 475 cr 175. 675 cr 175. 175 cr 1175. 1275 cr 1175.	5 41) fo 41) fo 512 fo 52 fo 57 fo 57 fo	21470 4150 4150 4150 4150

(e) "Uniform in size" means that for 1?" bushel or 1?", bushel boxes, not more than 10 percent, by count, of the fruits in any container vary more than the following amounts:

(1) 64 size and smaller—not more than \S_{10} inch in diameter; and

(2) 54 size and larger—not more than c_{10} inch in diameter.

(f) In order to allow for variations, other than sizing, incident to proper packing, not more than 5 percent of the packages in any lot may fail to meet the requirements of standard pack.

DEFINITIONS

§ 51.639 Similar varietal characteristics. "Similar varietal characteristics" means that the fruits in any container are similar in color and shape.

§ 51.640 Well colored. "Well colored" means that the fruit is yellow in color with practically no trace of green color.

§ 51.641 Firm. "Firm" means that the fruit is not soft, or noticeably wilted or flabby, and the skin is not spongy or puffy.

§ 51.642 Well formed. "Well formed" means that the fruit has the shape characteristic of the variety.

§ 51.643 Smooth texture. "Smooth texture" means that the skin is than and smooth for the variety and size of the fruit.

§ 51.644 Injury. "Injury" means any defect which more than slightly affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as injury.

 (a) Green spots or oil spots when appreciably affecting the appearance of the individual fruit;

(b) Scale when more than a few adjacent to the "button" at stem end, or

when more than 6 scattered on the other portions of the fruit;

(c) Scars which are depressed, not smooth, or which detract from the appearance of the fruit to a greater extent than the maximum amount of discoloration allowed in the grade; and,

(d) Thorn scratches when the mjury is not slight, not well healed, or more unsightly than discoloration allowed in the grade.

- Discoloration. "Discolora-§ 51.645 tion" means russeting of a light shade of golden brown caused by rust mite or other means. Lighter shades of discoloration caused by smooth or fairly smooth, superficial scars or other means may be allowed on a greater area, or darker shades may be allowed, on a lesser area, provided no discoloration caused by melanose or other means may affect the appearance of the fruit to a greater extent than the shade and amount of discoloration allowed for the
- § 51.646 Fairly well colored. "Fairly" well colored" means that, except for one inch in the aggregate of green color, the yellow color predominates over the green color on that part of the fruit which is not discolored.
- § 51.647 Fairly well formed. "Fairly well formed" means that the fruit may not have the shape characteristic of the variety but is not elongated or pointed or otherwise deformed.
- § 51.648 Fairly smooth texture. "Fairly smooth texture" means that the skin is not materially rough or coarse and that the skin is not thick for the
- § 51.649 Damage. "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Ammoniation when not occurring as light speck type similar to melanose:

- (b) Dryness or mushy condition when affecting all segments more than onefourth inch at the stem end, or more than the equivalent of this amount, by volume, when occurring in other portions of the fruit:
- (c) Green spots or oil spots when the aggregate area exceeds the area of a circle 1 inch in diameter on a grapefruit 41/4 inches in diameter. Smaller sizes shall have lesser areas of green spots or oil spots and larger sizes may have greater areas: Provided, That the appearance of the grapefruit is not affected to a greater extent than the area permitted on a grapefruit 41/4 inches in diameter;
- (d) Scab when it cannot be classed as discoloration, or appreciably affects shape or texture;
- (e) Scale when the appearance of the fruit is affected to a greater extent than that of a grapefruit 41/4 inches in diameter which has a blotch the area of a circle seven-eighths inch in diameter or a ring 1% inches in diameter;

- (f) Scarring which exceeds the following aggregate areas of different types of scars, or a combination of two or more types of scars, the seriousness of which exceeds the maximum allowed for any one type:
- (1) Scars when the appearance of the fruit is affected to a greater extent than that of a grapefruit 41/4 inches in diameter which has a very deep or very rough scar aggregating the area of a circle onehalf inch in diameter:

(2) Scars when the appearance of the fruit is affected to a greater extent than that of a grapefruit 41/4 inches in diameter which has a deep or rough scar aggregating 1 inch in diameter

(3) Scars which are slightly rough or of slight depth and aggregate more than 10 percent of the fruit surface; and,

(4) Scars which are smooth or fairly smooth with no depth and affect the appearance of the grapefruit to a greater extent than the amount of discoloration permitted. (Smooth or fairly smooth scars with no depth shall be scored against the discoloration tolerance)

(g) Sunburn when the area affected exceeds 25 percent of the fruit surface, or when the skin is appreciably flattened.

dry, darkened, or hard; and,

- (h) Thorn scratches when the injury is not well healed, or concentrated light colored thorn injury which has caused the skin to become hard and the aggregate area exceeds the area of a circle one-fourth inch in diameter, or slight scratches when light colored and concentrated and the aggregate area exceeds the area of a circle 1 inch in diameter, or dark or scattered thorn injury which detracts from the appearance of the fruit to a greater extent than the amounts specified in this section.
- § 51.650 Fairly firm. "Fairly firm" means that the fruit may be slightly soft, but not bruised, and the skin is not spongy or puffy.
- § 51.651 Slightly misshapen. "Slightly misshapen" means that the fruit is not of the shape characteristic of the variety but is not appreciably elongated or pointed or otherwise deformed.
- § 51.652 Slightly rough texture. "Slightly rough texture" means that the skin is not smooth or fairly smooth but is not excessively rough or excessively thick, or materially ridged, grooved or wrinkled.
- § 51.653 Serious damage. "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:
- (a) Ammoniation when scars are cracked, or when dark and aggregating more than the area of a circle threefourths inch in diameter, or when light colored and aggregating more than the area of a circle 11/4 inches in diameter:
- (b) Buckskin when aggregating more than 25 percent of the fruit surface or the fruit texture is seriously affected;

- (c) Dryness or mushy condition when affecting all segments more than onehalf inch at the stem end, or more than the equivalent of this amount, by volume. when occurring in other portions of the fruit:
- (d) Green spots or oil spots when the aggregate area exceeds the area of a circle 11/2 inches in diameter on a grapefruit 41/4 inches in diameter. Smaller sizes shall have lesser areas of green spots or oil spots, and larger sizes may have greater areas: Provided, That the appearance of the grapefruit is not affected to a greater extent than the area permitted on a grapefruit 41/4 inches in diameter:

(e) Scab when it cannot be classed as discoloration, or when materially affect-

ing shapé or texture;

(f) Scale when the appearance of the fruit is affected to a greater extent than that of a grapefruit 41/4 inches in diameter which has a blotch the area of a circle 11/8 inches in diameter or a ring 1% inches in diameter;

(g) Scarring which exceeds the following aggregate areas of different types of scars, or a combination of two or more types of scars, the seriousness of which exceeds the maximum allowed for any one type:

(1) Scars when the appearance of the fruit is affected to a greater extent than that of a grapefruit 41/4 inches in diameter which has a very deep or very rough scar aggregating the area of a circle 1 inch in diameter;

(2) Scars which are deep or rough and aggregate more than 5 percent of

the fruit surface;

(3) Scars which are of slight depth or slightly rough and aggregate more than 15 percent of the fruit surface: and.

- (4) Scars which are smooth or fairly smooth with no depth and affect the appearance of the grapefruit to a greater extent than the amount of discoloration permitted. (Smooth or fairly smooth scars with no depth shall be scored against the discoloration tolerance)
- (h) Sprayburn which seriously affects the appearance of the fruit or is hard. or when more than 11/4 inches in diameter in the aggregate has a light brown discoloration;
- (i) Sunburn which affects more than one-third of the fruit surface, or is hard, or the fruit is decidedly one-sided, or when more than 11/4 inches in diameter in the aggregate has a light brown discoloration; and,
- (j) Thorn scratches when the injury is not well healed, or concentrated light colored thorn injury which has caused the skin to become hard and the aggregate area exceeds the area of a circle one-half inch in diameter, or slight scratches when light colored and con-centrated and the aggregate area exceeds the area of a circle 11/2 inches in diameter, or dark or scattered thorn injury which detracts from the appearance of the fruit to a greater extent than the amounts specified as above.
- § 51.654 Slightly colored. "Slightly colored" means that except for two inches in the aggregate of green color, the portion of the fruit surface which

is not discolored shows some yellow color.

- § 51.655 Misshapen. "Misshapen" means that the fruit is decided elongated, pointed or flat sided.
- § 51.656 Slightly spongy. "Slightly spongy" means that the fruit is puffy or slightly wilted but not flabby.
- § 51.657 Very serious damage. "Very serious damage" means any defect which very seriously affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as very serious damage:
- (a) Growth cracks that are seriously weakened, gummy or not healed;
- (b) Ammoniation when aggregating more than the area of a circle 2 inches in diameter, or which has caused serious cracks:
 - (c) Bird pecks when not healed;
- (d) Caked melanose when more than 25 percent in the aggregate of the surface of the fruit is caked:
- (e) Buckskin when rough and aggregating more than 50 percent of the surface of the fruit;
- (f) Dryness or mushy condition when affecting all segments more than onehalf inch at the stem end, or more than the equivalent of this amount, by volume, when occurring in other portions of the fruit;
- (g) Scab when aggregating more than 25 percent of the surface of the fruit:
- (h) Scale when covering more than 25 percent of the surface of the fruit;
- (i) Sprayburn when seriously affecting more than one-third of the fruit surface:
- (j) Sunburn when seriously affecting more than one-third of the fruit surface: and.
- (k) Thorn punctures when not healed or the fruit is seriously weakened.
- "Diameter" § 51.658 Diameter means the greatest dimension measured at right angles to a line from stem to blossom end of the fruit.

Dated: September 15, 1955.

ROY W. LENNARTSON, [SEAL] Deputy Administrator Marketing Services.

[F. R. Doc. 55-7627; Filed, Sept. 20, 1955; 8:47 a. m.]

[7 CFR Part 52]

CANNED PUMPKIN AND CANNED SQUASH 1

U. S. STANDARDS FOR GRADES

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Grades of Canned Pumpkin and Canned Squash pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087

et seq., 7 U.S. C. 1621 et seq.) This revision, if made effective, will be the second issue by the Department of grade

standards for this product.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Processed Products Standardization and Inspection Branch. Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington 25, D. C., not later than 90 days after publication hereof in the FEDERAL REGISTER. The proposed standards are as follows:

PRODUCT DESCRIPTION, AND GRADER

52.2741 Product description. 52.2742 Grades of canned pumpkin and canned equash.

FILL OF CONTAINER

52.2743 Recommended fill of container.

FACTORS OF QUALITY

52.2744 Ascertaining the grade.
52.2745 Ascertaining the rating for the factors which are ccored. Color. 52,2746 52,2747 Consistency. 52.2748 Finish. 52.2749 Defects.

LOT CERTIFICATION TOLERANCES

52.2750 Tolerances for certification of oilcially drawn camples.

ECORE SHEET

52.2751 Score sheet for canned pumpkin and canned squash.

AUTHORITY: §§ 52.2741 to 52.2751 issued under sec. 205, 60 Stat. 1030; 7 U.S. C. 1624.

PRODUCT DESCRIPTION, AND GRADES

§ 52.2741 Product description. "Canned pumpkin" and "canned squash" is the canned product prepared from clean, sound, properly matured, golden fleshed, firm shelled, sweet varieties of either pumpkins or squashes by washing, stemming, cutting, steaming and reducing to a pulp. The product is properly sieved and finished in accordance with good commercial practice and is then sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

§ 52.2742 Grades of canned pumplin and canned squash. (a) "U. S. Grade A" or "U. S. Fancy" is the quality of canned pumpkin or canned squash that possesses a good color; that possesses a good consistency and good finish; that is practically free from defects; that possesses a normal flavor; and ccores not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade C" or "U. S. Standard" is the quality of canned pumpkin or canned squash that possesses a fairly good color; that possesses a fairly good consistency and fairly good finish; that is fairly free from defects; that possesses a normal flavor; and scores not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned pumpkin or canned squash that

fails to meet the requirements of U.S. Grade C or U.S. Standard.

FILL OF CONTAINER

§ 52.2743 Recommended fill of container. The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container be filled as full as practicable with pumplin or squash and that the product occupy not less than 90 percent of the volume of the container.

FACTORS OF QUALITY

§ 52.2744 Ascertaining the grade—(a) General. The grade of canned pumplin and canned squash is ascertained by considering the factors of quality which are not scored and those which are scored as follows:

(1) Factor which is not scored. (i)

Flavor.
(2) Factors which are scored. The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

actom:	Paintr
Color	. 23
Consistency	
Finish	. 23
Defects	. 23
Total coore	100

- (b) "Normal flavor" means that the product is free from objectionable flavors or objectionable odors of any hand.
- § 52.2745 Ascertaining the rating for the factors which are scored. The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive. (For example, "25 to 30 points" means 25, 26, 27, 28, 29, or 30 points)
- § 52.2746 Color—(a) (A) classification. Canned pumpkin or canned squash that possesses a good color may be given a score of 18 to 20 points. "Good color" means that the product has a good overall golden color, is practically uniform, is bright and typical of canned pumpinn or canned squash prepared from well matured pumpkin or squash.
- (b) (C) classification. If the canned pumplin or canned squash possesses a fairly good color, a score of 14 to 17 points may be given. Canned pumplan or canned squash that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good color" means that the color of the product is fairly uniform, fairly bright, and typical of fairly well matured pumplin or squash and may possess a slight tinge of gray or tan color, may be variable or slightly dull but not to the extent that the appearance or eating quality is materially affected.
- (c) (SStd.) classification. Canned pumpkin or canned squash that fails to meet the requirements of paragraph (b)

¹Compliance with these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

§ 52.2747 Consistency—(a) (A) classification. Canned pumpkin or canned squash that possesses a good consistency may be given a score of 25 to 30 points. "Good consistency" means that the canned pumpkin or canned squash, after emptying from the container to a dryflat surface, retains the approximate shape of the container, or holds a high mound formation, and at the end of two minutes after emptying on such surface that the highest point of the mound is not less than 60 percent of the height of the container and not more than 10 cubic centimeters of free liquor separates for each 30 ounces of net contents.

(b) (C) classification. If the canned pumpkin or canned squash possesses a fairly good consistency, a score of 21 to 24 points may be given. Canned pumpkin or canned squash that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good consistency" means that the canned pumpkin or canned squash, after emptying from the container to a dry-flat surface, may flow just enough to level off to a nearly uniform depth or may be moderately mounded and at the end of two minutes after emptying on such surface, that not more than 30 cubic centimeters of free liquor separates for each 30 ounces of net contents.

(c) (SStd.) classification. Canned pumpkin or canned squash that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a

limiting rule)

§ 52.2748 Finish—(a) General. The factor of finish refers to the texture of the product and evenness of the pumpkin or squash particles.

(b) (A) classification. Canned pumpkin or canned squash that possesses a good finish may be given a score of 17 to 20 points. "Good finish" means that the canned pumpkin or canned squash particles are evenly divided; that the product is fine grained, smooth but not pasty, and the pumpkin or squash particles are not hard.

(c) (C) classification. Canned pumpkin or canned squash that possesses a fairly good finish may be given a score of 14 to 16 points. "Fairly good finish" means the canned pumpkin or canned squash particles are evenly divided; that the product may be slightly coarse; may be slightly pasty but not decidedly pasty and the pumpkin or squash particles are not hard.

(d) (SStd.) classification. Canned pumpkin or canned squash that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

§ 52.2749 Defects—(a) General The factor of defects refers to the degree of freedom from sand, grit, or silt, pieces of seed, fiber, and from dark or off-colored particles.

(1) "Grit, sand, or silt" means any particle of earthy material.

(b) (A) classification. Canned pumpkin or canned squash that is practically free from defects may be given a score of 25 to 30 points. "Practically free from defects" means that no grit, sand, or silt may be present that affects the appearance or eating quality of the canned pumpkin or canned squash, and that the number, size, or color of the aforesaid defects present individually or collectively do not more than slightly affect the appearance or eating quality of the product.

(c) (C) classification Canned pumpkin or canned squash that is fairly free from defects may be given a score of 21 to 24 points. Canned pumpkin or canned squash that falls into this classification shall not be graded above U.S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly free from defects" means a trace of grit, sand, or silt may be present that does not materially affect the appearance or eating quality of the canned pumpkin or canned squash, and that any of-the other aforesaid defects present individually or collectively may be noticeable but are not so large, so numerous, or of such contrasting color as to seriously affect the appearance or eating quality of the product.

(d) (SStd.) classification. Canned pumpkin or canned squash that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the products (this is a limiting rule).

LOT CERTIFICATION TOLERANCES

§ 52.2750 Tolerances for certification of officially drawn samples. (a) When certifying samples that have been officially drawn and which represent a specific lot of canned pumpkin or canned squash the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (2) with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all contamers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the

average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.2751 Score sheet for canned pumpkin and canned squash.

Factors		Scorepoints	Average ecoro
Color	20	(A) 18-20 (C) 14-17 (SStd.) 10-13	
Consistency	30	(A) 25-30 (O) 21-21 (88(d.) 10-20	
Finish:	20	(A) 17-20 (O) 14-10 (SStd.) 10-13	
Defects	30	(A) 25-30 (C) 121-21 (SStd.) 10-20	
Total score	100		

Dated: September 15, 1955.

[SEAL] ROY W L'ENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 55-7628; Filed, Sept. 20, 1955; 8:47 a. m.]

[7 CFR Part 939]

HANDLING OF BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

EXPENSES AND FIXING OF RATE OF ASSISS-MENT FOR 1955-56 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comico, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed \$27,915 are likely to be incurred by said committee during the fiscal period beginning July 1, 1955, and ending June 30, 1956, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement

¹ Indicates limiting rule.

and order during the aforesaid fiscal period, the rate of assessment at six mills (\$0.006) per standard western pear box of pears or its equivalent of pears in other containers or in bulk, shipped by such handler during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the Federal Register.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. 603c)

Dated September 16, 1955.

[SEAL] S. R. SLOTH,

Director, Fruit and Vegetable

Division, Agricultural Marketing Service.

[F. R. Doc. 55-7630; Filed, Sept. 29, 1935; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order 7]

DISTRICT DIRECTORS OF INTERNAL REVENUE

DELEGATION OF AUTHORITY TO GRANT EX-TENSIONS OF TIME FOR FILING CORPORA-TION DECLARATIONS OF ESTIMATED IN-COME TAX

SEPTEMBER 6, 1955.

Pursuant to authority vested in me as Commissioner of Internal Revenue, District Directors of Internal Revenue are hereby delegated authority to grant reasonable extensions of time to file corporation declarations of estimated income tax required by section 6016 (a) of the Internal Revenue Code of 1954. The authority herein delegated shall be exercised in accordance with applicable regulations and procedures.

Effective date: August 23, 1955.

[SEAL] T. COLEMAN ANDREWS,

Commissioner

[F. R. Doc. 55-7639; Filed, Sept. 20, 1955; 8:50 a. m.].

[Order 8]

ASSOCIATE CHIEFS OF REGIONAL APPELLATE DIVISIONS ET AL.

DELEGATION OF AUTHORITY TO SIGN AGREE-MENTS AS TO LIABILITY FOR PERSONAL HOLDING COMPANY TAX

September 7, 1955.

Pursuant to the authority vested in me as Commissioner of Internal Revenue and in accordance with the provisions of paragraphs 12 and 22 of Treasury Decision 6118, approved December 30, 1954, the authority to enter into agreements on Form 2198, pursuant to section 547 (c) (3) Internal Revenue Code of 1954, relating to liability for personal holding company tax is hereby redelegated to the following officers of the Internal Revenue Service:

(a) Associate Chiefs of Regional Appellate Divisions;

(b) Assistant Chiefs of Regional Appellate Divisions; and

(c) Special Assistants to the Chiefs of Regional Appellate Divisions.

Effective date: September 7, 1955.

[SEAL] T. COLEMAN ANDREWS, Commissioner.

[F. R. Doc. 55-7640; Filed, Sept. 29, 1955; 8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

New Mexico

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

SEPTEMBER 12, 1955.

An application, serial number New Mexico 020728, for the withdrawal from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, of the lands described below was filed on August 19, 1955, by the Corps of Engineers, U. S. Army.

The purposes of the proposed withdrawal: Installation of navigational aid facilities for the Air Force.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior at P. O. Box 1251, Santa Fe, New Mexico. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application

New Mixico Principal Mixibian

T. 9 S., R. 25 E., Sec. 29, S½NW¼SW¼ND¼.

The area described contains 5 acres.

E.R. Siuth, State Supervisor.

[F. R. Doc. 55-7617; Filed, Sept. 20, 1935; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

SHELBY STOCKYARDS CO.

POSTING OF STOCKYARD

The Secretary of Agriculture has information that the Shelby Stockyards Company, Shelby, Montana, is a stockyard as defined in Section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of that act.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule designating the stockyard named above as a posted stockyard subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) as is provided in section 302 of that act. Any interested person who desires to do so may submit, within 15 days of the publication of this notice, any data, views or arguments, in writing, on the proposed rule to the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 14th day of September 1955.

[SEAL] H. E. REED, Director Livestock Division, Agricultural Marketing Service.

[F. R. Doo. 55-7620; Filed, Sept. 29, 1955; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 7002 et al.]

New York-Nassau Case

NOTICE OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 205 (a) and 1001 of the Act, that a hearing in the above-entitled proceeding is assigned to be held on October 4, 1955, at 10:00 A. M., e. s. t., in Room No. 5132, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Merritt Ruhlen.

Notice is further given that any person not a party to the proceeding desiring to be heard in opposition to the matters set forth in the case must file with the Board on or before October 4, 1955, a statement setting forth issues of fact or law which he desires to contest. Any person filing such a statement may appear and participate at the hearing in

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accordance with § 302.14 of the Procedural Regulations under Title IV of the Civil Aeronautics Act, as amended.

For further details of the proceeding and issues involved, interested persons are referred to the applications consolidated in the proceeding by Order No. E-9466, to the report of the prehearing conference, and the "Notice" of August 26, 1955, on file with the Civil Aeronautics Board.

Dated at Washington, D. C., September 16, 1955.

[SEAL]

Francis W Brown, Chief Examiner

[F R. Doc. 55-7649; Filed, Sept. 20, 1955; 8:51 a.m.]

[Docket Nos. 6597, 6749]

CONTINENTAL AIR LINES, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Continental Air Lines, Inc., under section 401 of the Civil Aeronautics Act of 1938, as amended, for amendment of its certificate of public convenience and necessity for route No. 29 authorizing service beyond San Antonio, Texas, to the terminal point Houston, Texas, Docket No. 6597 and in the matter of Board investigation re Braniff-TWA interchange at Amarillo, Texas, Docket No. 6749.

Notice is hereby given that hearing in the above-entitled proceeding assigned for September 19, 1955, is postponed and will be held on October 4, 1955, at 10:00 a. m., e. s. t., in Conference Room A, Departmental Auditorium, Twelfth Street and Constitution Ave. NW., Washington, D. C., before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., September 16, 1955.

[SEAL]

FRANCIS W BROWN, Chief Examiner

[F. R. Doc. 55-7650; Filed, Sept. 20, 1955; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11287 etc., FCC_55M-795]

EL MUNDO, INC., ET AL.

ORDER CONTINUING HEARING

In re applications of El Mundo, Inc., Mayaguez, Puerto Rico, Docket No. 11287, File No. BPCT-1892; Ponce de Leon Broadcasting Company, Inc., of P R., Mayaguez, Puerto Rico, Docket No. 11288, File No. BPCT-1906; Supreme Broadcasting Company, Inc., Mayaguez, Puerto Rico, Docket No. 11289, File No. BPCT-1911, for construction permits for new television broadcast stations.

The Hearing Examiner having under consideration a motion filed on September 9, 1955, on behalf of Ponce de Leon Broadcasting Company, Inc., of P R., requesting that the hearing now scheduled to be held in the above-entitled proceeding on September 16, 1955, be continued until November 7, 1955 and

It appearing, that sufficient "good cause" has been set forth in the said motion to warrant the postponement requested therein and that all of the parties to the proceeding have consented to a grant thereof;

It is ordered, this 15th day of September 1955, that the above motion be, and it is hereby, granted; and that the hearing in the above-entitled proceeding is hereby continued until 10:00 o'clock a.m., on Monday November 7, 1955, in the offices of this Commission, at Washamgton, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

WM. P. MASSING, Acting Secretary.

[F. R. Doc. 55-7645; Filed, Sept. 20, 1955; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to Section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U.S.C. and Sup. 214) and Part 522 of the Regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under Section 6 of the Act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F R. 2304)

Alabama Textile Products Corp., Crestview, Fla., effective 9-14-55 to 9-13-56; 10 percent of the total number of factory production workers in the production of men's pajamas only, for normal labor turnover purposes (men's pajamas).

Bruce Co., Inc., 120 East 15th Street, Ottawa, Kans., effective 9-28-55 to 9-27-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work clothing and waist band overalls; lined jackets).

Carter Dress Co., 40 West Main Street, Ply-

Carter Dress Co., 40 West Main Street, Plymouth, Pa., effective 9-9-55 to 9-8-56; 10 learners for normal labor turnover purposes (women's dresses).

Dodge Manufacturing Co., Eastman, Ga., effective 9-9-55 to 9-9-56; 10 learners for normal labor turnover purposes (men's sport shirts).

Fairfield Manufacturing Co., Inc., Winnsboro, S. C., effective 9-9-55 to 9-8-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's cotton wash dresses).

purposes (women's cotton wash dresses).
Fairfield Manufacturing Co., Inc., Winnsboro, S. C., effective 9-9-55 to 2-29-56; 40

learners for plant expansion purposes (women's cotton wash dresses).

M. Fine & Sons Manufacturing Co., Inc., Paducah, Ky., effective 9-12-55 to 9-11-56; 10 percent of the total number of factory production workers for normal labor turn-over purposes (cotton work shirts).

Gateway Manufacturing Co., 215 West Church Street, Masontown, Pa., effective 9-7-55 to 1-19-56; 10 percent of the total number of factory production workers engaged in the production of ladies' blouses (ladies' blouses) (replacement certificate).

gaged in the production of ladies' blouses (ladies' blouses) (replacement certificate). Gateway Manufacturing Co., 215 'West Church Street, Masontown, Pa., effective 9-7-55 to 1-19-56; 10 percent of the total number of factory production workers engaged in the production of men's sport shirts (sport shirts) (replacement certificate).

Gateway Manufacturing Co., 215 West Church Street, Masontown, Pa., effective 9-8-55 to 2-29-56; 10 learners for plant expansion purposes (supplemental certificate).

Junior Form Lingerio Corp., Cairnbrook, Pa., effective 9-9-55 to 2-29-56; 50 learners for plant expansion purposes (women's and children's silps).

The H. D. Lee Co., Inc., Box 455, Boaz, Ala., effective 9-16-55 to 9-15-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's bib overalls and waistband overalls).

Leecraft Manufacturing Corp., Spencer, Tenn., effective 9-21-55 to 9-20-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

Linden Manufacturing Co., Linden, Ala., effective 9-14-55 to 2-29-56; 20 learners for plant expansion purposes (cotton dresses).

Sandye Shirt Corp., Portland, Tonn., effective 9-12-55 to 9-11-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

Seamprufe, Inc., 32 River Street, Carbon-dale, Pa., effective 9-17-55 to 9-16-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (slips and lingerio).

Wentworth Manufacturing Co., 148 East Darlington Street, Florence, S. C., effective 9-12-55 to 2-29 56; 20 learners for plant expansion purposes (women's cotton house dresses).

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended April 19, 1955, 20 F. R. 2304)

Morris Manufacturing Co., Newborn, Tenn., effective 9-12-55 to 9-11-56, 10 learners for normal labor turnover purposes (work gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended April 19, 1955, 20 F R. 2304)

Keyser Undergarment Co., Inc., Hyndman Division, Hyndman, Pa., effective 9-6-55 to 2-29-56; 10 learners for expansion purposes (knitted slips and panties).

Keyser Undergarment Co., Inc., Hyndman Division, Hyndman, Pa., effective 9-6-55 to 9-5-56; 5 learners for normal labor turnover purposes (knitted silps and panties). Salisbury Undergarment Co., Inc., Salis-

Salisbury Undergarment Co., Inc., Salisbury, Pa., effective 9-14-55 to 9-13-56; 5 learners for normal labor turnover purposes (ladies' rayon panties).

Regulations applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F R. 645)

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning periods and

the learner wage rates are indicated, respectively.

Borinquen Radio Components Corp., Coamo, P. E., effective 8-26-55 to 2-25-56; 10 learners to be employed in the occupation of machinist for 320 hours at 58 cents an hour, 320 hours at 64 cents an hour, and 320 hours at 70 cents an hour (metal or plastic parts for radios).

for radios).

Cruzita, 7 Celis Aguilera, Caguas, P. R., effective 8-29-55 to 2-28-56; 10 learners to be employed in the occupation of sewing machine operator for 480 hours at 30 cents an hour (girls' dresses).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum wage rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations, and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register pursuant to the provisions of the Part 522.

Signed at Washington, D. C., this 12th day of September 1955.

MILTON BROOKE,
Authorized Representative
of the Administrator

[F. R. Doc. 55-7618; Filed, Sept. 20, 1955; 8:46 a. m.]

Wage and Hour and Public Contracts Divisions

CONTRACTS IN FURTHERANCE OF CIVIL RESERVE AIR FLEET PROGRAM

EXEMPTION OF AIR CARRIERS FROM CERTAIN REQUIREMENTS

Whereas the Department of the Air Force has represented that certain contracts in furtherance of the Civil Reserve Air Fleet Program must necessarily be made with certain air carriers subject to Title II of the Railway Labor Act (act of May 20, 1926, 44 Stat. 577; 45 U. S. C. 181) as amended, for the manufacture or furnishing of materials, supplies, articles and equipment and for the performance of certain essential services, and

Whereas it has further represented that to require said air carriers to qualify as manufacturers or regular dealers in such materials, supplies, articles and equipment as provided in section 1 (a) of the Walsh-Healey Public Contracts Act and to require them, in respect to their employees, to comply with the labor standards of that act as provided in sections 1 (b) and 1 (c) will seriously impair the conduct of the Government's business, and

-Whereas it has made a written finding to that effect and has requested an exemption of said carriers from said requirements, and

Whereas section 6 of the Walsh-Healey Public Contracts Act provides "The Secretary of Labor may provide reasonable limitations and may make rules and regulations allowing reasonable variations, tolerances and exemptions to and from

any or all provisions of this act respecting * * * the extent of the application of this act to contractors" and

Whereas it appears that justice and the public interest will be served by the granting of said request,

Now, therefore, with respect to any contracts between the Department of the Air Force and air carriers subject to Title II of the Railway Labor Act, made in furtherance of the Civil Reserve Air Fleet Program, such carriers are hereby exempted from the requirements of section 1 (a) of the Walsh-Healey Public Contracts Act and, with respect to their employees, from the requirements of section 1 (b) and 1 (c) of said act; and such carriers are hereby exempted to a corresponding extent from the application of the stipulations and representations which shall be inserted or incorporated in such contracts pursuant to section 1 of the act and § 201.1 (a) (b) and (c) of the applicable regulations, 41 CFR Part 201. Provided, That this exemption shall not relieve the airlines, except as above specifically provided, or any other person from any liability or sanction under the contract, the act, or the regulations, which would be applicable in the absence of this exemption on the award of such contract to a contractor qualified under section 1 (a) of the act, and the airlines shall notify suppliers accordingly.

Signed at Washington, D. C., this 15th day of September 1955.

ARTHUR LARSEN, Acting Secretary of Labor.

[F. R. Doc. 55-7638; Filed, Sept. 29, 1955; 8.49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6643]

MONTANA-DAKOTA UTILITIES CO.
NOTICE OF APPLICATION

SEPTEMBER 14, 1955.

Take notice that on September 7, 1955, an application was filed with the Federal Power Commission pursuant to Section 204 of the Federal Power Act by Montana-Dakota Utilities Company (Montana-Dakota) a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota, Montana, North Dakota, South Dakota and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of 241,577 shares of Common Stock to Montana-Wyoming Gas Pipe Line Company (Montana-Wyoming), in exchange for all of the properties and assets of Montana-Wyoming, subject to liabilities existing at the acquisition date, and to assume \$4,875,000 of the Montana-Wyoming First Mortgage Pipe Line Bonds, 3½ percent Series due June 1, 1970, which bonds are now outstanding and a first lien on the properties to be acoured.

The 241,577 shares of Common Stock proposed to be issued will be identical with the Common Stock now outstanding. These shares will be issued in lieu of the 241,577 shares now reserved for issue to the stockholders of Montana-

Wyoming, in accordance with the Share Exchange Contract as authorized by this Commission in Dacket No. E-6218 (14 F. R. 7365)

The \$4,875,000 of Montana-Wyoming bonds, proposed to be assumed, are the unpaid balance of the original issue of \$6,500,000 of bonds, issued as of December 1, 1949.

The issue of the stock and the assumption of the bonds will be pursuant to a plan of reorganization whereby Montana-Dakota will acquire all of the properties of Montana-Wyoming, subject to liabilities, solely in exchange for 241,577 shares of stock and the assumption of the \$4,875,000 of bonds of Montana-Wyoming. After the acquisition, 241,577 shares of stock, which will be the only asset held by Montana-Wyoming, will be distributed to its stockholders on a prorate basis; all as more fully appears in the application.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 2d day of October 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's Rules of Practice and Procedure. The application is on file and available for public inspection.

SEAL

LEON M. FUQUAY, Secretary.

[P. R. Doc. 55-7619; Filed, Sept. 20, 1955; 8:46 a. m.]

[Docket No. G-6892]
PALERHO GAS Co.

NOTICE OF APPLICATION AND DATE OF HEARING

September 14, 1955.

Take notice that Palermo Gas Company (Applicant) a West Virginia corporation whose address is 4400 Virginia Avenue, Southeast, Charleston, West Virginia, filed on November 30, 1954, an application for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from Barrett Adkins Land, Mud River, Jefferson District, Lincoln County, West Virginia, which is sold to South Penn Natural Gas Company at 16 cents per Mcf for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 13, 1935, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concern7086

NOTICES

ing the matters involved in and the issues presented by such application: *Provided*, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of Section 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure [18 CFR 1.8 or 1.10] on or before September 28, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 55-7620; Filed, Sept. 20, 1955; 8:46 a. m.]

[Docket No. G-2965 etc.]

CAMERON OIL AND GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 14, 1955.

In the matters of Cameron Oil and Gas Company, Docket Nos. G-2965, G-2966, G-2967, G-2968, G-2969, G-2971, and G-2972; Cameron Producing Company, Docket No. G-2973; Cameron Producing Company, Docket No. G-2974; Chafin Land Company, Docket No. G-2974; Chafin Land Company, Docket No. G-4849; Sunray Oil Corporation, Docket No. G-5181, Sunray Oil Corporation, Docket No. G-5182; Kermit Gas Corporation, Docket No. G-5694; C. E. Starrett, Docket No. G-6517.

Notice is hereby given that on September 2, 1955, the Federal Power Commission issued its findings and orders adopted August 31, 1955, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 55-7621; Filed, Sept. 20, 1955; 8:46 a. m.]

[Docket No. G-6934 etc.]

TIM G. LOWRY ET AL.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 14, 1955.

In the matters of Tim G. Lowry, Docket No. G-6934; A. Plack Carr, Docket No. G-6936; Gas Properties, Inc., Docket No. G-6940; Continental Oil Company, Docket Nos. G-6947 and G-6956; Northern Natural Gas Producing Company, Docket No. G-8589; Southwestern Exploration Company, Docket No. G-9001, Woofter-Jones Gas Company, Docket No. G-9020.

Notice is hereby given that on September 2, 1955, the Federal Power Commis-

sion issued its findings and orders adopted August 31, 1955, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 55-7622; Filed, Sept. 20, 1955; 8:46 a. m.]

[Docket No. E-6644]

FUGET SOUND POWER & LIGHT CO.

NOTICE OF APPLICATION

SEPTEMBER 15, 1955.

Take notice that on September 12. 1955, an application was filed with the Federal Power Commission pursuant to Section 204 of the Federal Power Act by Puget Sound Power & Light Company (Applicant) a corporation organized under the laws of the State of Massachusetts and doing business in the State of Washington, with its principal business office at Seattle, Washington, seeking an order authorizing the issuance of 1,088,940 shares of Common Stock at the par value of \$10 per share. Applicant proposes to increase its authorized common stock from 2,177,879 shares, par value of \$10 per share, to 3,266,819 shares, par value of \$10 per share, and proposes to dispose of the additional 1,088,940 shares of common stock by distributing to the holders of common stock one share for each two shares of common stock issued and outstanding, and in payment for the shares so distributed to cause to be transferred on the books of Applicant the sum of \$10 for each such share from Earned Surplus Account to Common Capital Stock Account: and to reduce its authorized capital stock by the elimination of 137,500 shares of Prior Preference Stock, no par value, heretofore issued, redeemed and cancelled; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 5th day of October 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file and available for public inspection.

[SEAL]

Leon M. Fuquay, Secretary,

[F. R. Doc. 55-7624; Filed, Sept. 20, 1955; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 16, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

LONG-AND-SHORT-HAUL

FSA No. 31107 Potash-Carlsbad and Loving, N. M., to Tennessee. Filed by The Atchison, Topeka & Santa Fe Railway Company, Agent, for interested rail carriers. Rates on potassium (potash), carloads from Carlsbad and Loving, N. Mex., to Alamo, Bells, Dyersburg, and Friendship, Tenn.

Grounds for relief: Circuitous route. Tariff: Supplement 95 to The Atchison, Topeka & Santa Fe Railway Company tariff I. C. C. No. 14478.

FSA No. 31108: Tin Cans-Between Points in Official Territory. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on old tin cans, used or defective, having value for detiming purposes only, carloads between points in official territory east of the Indiana-Illinois State line and between such points, on one hand, and points in official and Illinois territories west of said line, as desecribed in the application, on the other.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 8 to Agent Hinsch's I. C. C. 4662.

FSA No. 31109: Merchandise-Central Territory to the East. Filed by The Wabash Railroad Company, Agent, for interested rail carriers. Rates on various commodities, in mixed carloads from specified points in Illinois, Indiana, Michigan, Missouri (St. Louis), and Ohio to specified points in New York and Pennsylvania.

Grounds for relief: Motor truck competition and circuity.

Tariff: Supplement 2 to Wabash Rail-road tariff I. C. C. 7778.

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F. R. Doc. 55-7633; Filed, Sept. 20, 1955; 8:49 a. m.]

[Notice 78]

MOTOR CARRIER APPLICATIONS

SEPTEMBER 16, 1955.

Protests, consisting of an original and two copies, to the granting of an application must be filed with the Commis-sion within 30 days from the date of publication of this notice in the FEDERAL REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241)
Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the General Rules of Practice of the Commission (39 CFR 1.40), protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations

may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operations of motor carrier properties sought to be acquired in an application under section 5 (a) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 2202 Sub 130, filed August 16, 1955, ROADWAY EXPRESS, INC., 147 Park Street, Akron, Ohio. Applicant's attorney William O. Turney, 2001 Massachusetts Avenue, N. W., Washington 6, D. C. For authority to operate as a common carrier over a regular route, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Detroit, Mich., and Grand Rapids, Mich., over U. S. Highway 16, serving the intermediate points of Lansing and Howell, Mich. Applicant is authorized to conduct operations in Alabama, Delaware, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 2202 Sub 131, filed August 26, 1955, ROADWAY EXPRESS, INC., 147 Park Street, P. O. Box 471, Akron, Ohio. Applicant's attorney William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D. C. For authority to operate as a common carrier over regular route, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Cincinnati, Ohio, and Findlay, Ohio, from Cincinnati over U.S. Highway 42 to Xema, Ohio, thence over U.S. Highway 68 to Findlay, Ohio, and return over the same route, serving no intermediate points, as an alternate route, for operating convenience only, in connection with carrier's regular route operations (1) between Akron, Ohio, and Findlay, Ohio, which is a portion of regular route operations between Akron, Ohio, and San Antonio, Tex., (2) between Cleveland, Ohio, and Cincinnati, Ohio, which is a portion of regular route operations between Cleveland, Ohio, and Memphis, Tenn., (3) between Dayton, Ohio, and Wapskoneta, Ohio, and (4) between

junction U.S. Highways 25 and 42 and line running due north and south Dayton, Ohio. Applicant is authorized through the Town of Roggen. REto conduct operations in Alabama, Delaware, Georgia, Illinois, Indiana, Kancas, Kentucky, Maryland, Michigan, Mis-souri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Fennsyl-vania, South Carolina, Tennessee, Tenas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 2202 Sub 132, filed September 1, 1955, ROADWAY EXPRESS, INC., 147 Park Street, Akron 9, Ohio. Applicant's attorney. James M. Verner, 2001 Massa-chusetts Ave., NW., Washington G. D. C. For authority to operate as a common carrier, over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between junction U.S. Highway 78 and U.S. Business Highway 78 west of Anniston, Ala., and junction U.S. Highway 78 and U. S. Business Highway 78 east of Anniston, Ala., over U.S. Highway 78, serving no intermediate points, as an alternate route for operating convenience only, in connection with carrier's authorized alternate route operations between Austell, Ga., and Birmingham, Ala. Applicant is authorized to conduct operations in Alabama, Connecticut, Dalaware, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennes-see, Texas, Virginia and West Virginia, Wisconsin, and the District of Columbia.

No. MC 4405 Sub 267, filed September 1955, DEALERS TRANSIT, INC., 12933 Stony Island Avenue, Chicago, Ill. Applicant's attorney. James W Wrape, Sterick Building, Memphis 3, Tenn. For authority to operate as a common carrier over irregular routes, transporting: (1) Trailers, semi-trailers, trailer chassis and semi trailer chassis, in initial movements, in truckaway service, from Bradenton, Fla., to points in Ohio, Michigan, Indiana, Kentucky, Illinois, Wisconsin, Minnesota, Iowa, Miscouri, Arkansas, Louisiana, North Daliota, South Baltota, Nobraska, Konsas, Olda South Dakota, Nebraska, Kansas, Oklahoma, Texas, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, California and Nevada, and (2) trailers, semitrailers, trailer chassis and semi-trailer chassis, in initial movements, in driveaway service, from Brandenton, Fla., to points in all states specified in (1) above except Arizona, Oregon, and Nevada. Applicant is authorized to conduct operations throughout the United States.

No. MC 5267 Sub 8, filed August 8, 1955, WILLIAM R. BRUMFIELD AND OLIVET ATWOOD BRUMFIELD, doing business as ATWOOD TRUCK LINE, Route 1, Fort Morgan, Colo. Applicant's attorney. Marion F. Jones, Suite 526 Denham Building, Denver 2, Colo. For authority to operate as a common carner over irregular routes, transporting: Cement and aggregates, from Laramie, Wyo., and points within five miles thereof, to points in Colorado on and north of U.S. Highway 36 and east of a

STRICTION: Service to points within a 75-mile radius of Julesburg, Colo., to be restricted to cement in bulk only, and aggregates. FURTHER RESTRIC-TION: No service to be performed directly to oil fields.

No. MC 21170 Sub 31, filed August 25, 1955, BOS FREIGHT LINES, INCOR-PORATED, 403 South 12th Ave., Marshalltown, Iowa. For authority to operate as a common carrier, over a regular route, transporting: General commoditics, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Cedar Rapids, Iowa, and Middle Amana, Iowa, over Iowa Highway 149, serving no intermediate points. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kansas, Minnesota, and Missouri.

No. MC 27970 Sub 21, filed August 4. 1955, CHICAGO EXPRESS, INC., 72 Fifth Ave., New York 11, N. Y. Applicant's attorneys: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C., and Thomas F. Connor, 72 Fifth Ave., New York 11, N. Y. For authority to operate as a common carrier, over regular routes, transporting: General commodities, except those of unusual value, Class A and Class B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, (1) between Bristol, Pa. and Philadelphia, Pa. over Pennsylvania Highway 13, serving no intermediate points, with cervice at Philadelphia for purposes of joinder only, and with service to and from points east of the Ohio-Pennsylvania State line restricted to shipments moving to and from points west of the Ohio-Pennsylvania State line; (2) serving Lancaster, Pa. as an intermediate point in connection with carrier's authorized regular route operation between Cleveland, Ohio, and Boston, Mass. over Ohio Highway 14, Pennsylvania Highways 51 and 88, and U. S. Highways 30 and 1, with service to and from points east of the Ohio-Pennsylvania State line restricted to shipments moving to and from points west of the Ohio-Pennsylvania State line. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio, Pennsylvania, Maryland, Connecticut, New Jersey, New York, Massachusetts, Rhode Island, and Washington, D. C.

No. MC 27970 Sub 22, filed August 4, 1955, CHICAGO EXPRESS, INC., 72 Fifth Ave., New York 11, N. Y. Applicant's attorneys: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C., Thomas F Connor, 72 Fifth Ave., New York 11, N. Y. For authority to operate as a common carrier, over regular routes, transporting: General commodifies, except those of unusual value, Class A and B explosives, bullion, livestock, household good as defined by the Commission, commodities in bull, and commodities requiring special equipment, (1) serving Chicopee, Mass., and points within five (5) miles of Chicopee as intermediate or off-route points in 7088 NOTICES

connection with carrier's authorized regular route operations between Joliet, Ill. and Boston, Mass. over U. S. Highways 6 and 20 and New York Highways 5 and 130, with service to and from points east of the Ohio-Pennsylvania State line restricted to shipments moving to and from points west of the Ohio-Pennsylvania State line; (2) to convert to a service route carrier's alternate route for operating convenience only between New York, N. Y. and junction U. S. Highways 9 and 20, serving no intermediate points and with service at the termini for the purpose of joinder only, from New York over U.S. Highway 9 through Poughkeepsie and Clermont. N. Y. to junction New York Highway 9-H, thence over New York Highway 9-H through Claverack, N. Y., to junction U. S. Highway 9, and thence over U. S. Highway. 9 to junction U.S. Highway 20, and return over the same route; (3) serving Peekskill, N. Y. as an intermediate point in connection with carrier's routes described in (2) above, with service to and from points east of the Ohio-Pennsylvania State line restricted to shipments moving to and from points west of the Ohio-Pennsylvania State line. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio, Pennsylvania, Maryland, Connecticut, New Jersey, New York, Massachusetts, Rhode Island, and Washington, D. C.

No. MC 27970 Sub 23, filed August 4, 1955, CHICAGO EXPRESS, INC., 72 Fifth Ave., New York 11, N. Y. Applicant's attorneys: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C., and Thomas F Connor, 72 Fifth Ave., New York 11, N. Y. For authority to operate as a common carrier over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and com-modities requiring special equipment, (1) between Monticello, Ill., and Urbana, Ill., from Monticello over Illinois Highway 105 to junction Illinois Highway 47, thence over Illinois Highway 47 to junction Illinois Highway 10 and thence over Illinois Highway 10 to Urbana and return over the same route, serving no intermediate points and with service at Urbana for purposes of joinder only (2) between Watseka, Ill., and Toledo, Ohio, from Watseka over U. S. Highway 24 to Huntington, Ind., thence over U.S. Highway 224 to Findlay, Ohio, thence over U. S. Highway 68 to Toledo, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and with service at the termini for purpose of joinder only, in connection with carrier's authorized regular route between Chicago, Ill., and the junction of Ohio Highway 2 and U.S. Highway 6 near Sandusky, Ohio, from Chicago over U.S. Highway 20 to Toledo. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio, Pennsylvania, Maryland, Connecticut, New Jersey, New York, Massachusetts, Rhode Island, and Washington, D. C.

No. MC 31441 Sub 12, filed July 27, 1955, and amended September 9, 1955,

published in the August 10, 1955 issue, GEORGE F DOCKHAM, doing business as LEDO TRUCKING CO., Box 146, Raymond, N. H. For authority to operate as a common carrier over irregular routes, transporting: Coke and pig iron, in bulk, in dump trucks from Everett, Mass., to points in Vermont.

No. MC 35442 Sub 2, filed September 8, 1955, W W OWENS, 702 E. Burgess St., Elizabeth City, N. C. For authority to operate as a common carrier over rregular routes, transporting: Paper and paper products, from Baltimore, Md., to Elizabeth City, N. C., and General Commodities, except Class A and B explosives, household goods (when transported as separate service) commodities in bulk, and those requiring special equipment, from Elizabeth City N. C., to Baltimore, Md. Applicant is authorized to conduct operations in Virginia and North Carolina.

No. MC 36534 Sub 13, filed July 25, 1955 (Further Amended) published August 10, 1955, on Page 5796 and August 31, 1955, on Page 6426, STRONG & HARRIS, INC., P O. Box 137, Vanadium, N. Mex. For authority to operate as a contract carrier over irregular routes, transporting: (1) Ore and ore concentrates; (a) from any mine or mill in Cochise County, Ariz., to any railhead in Cochise County, Ariz., (b) from any mine or mill in Cochise County, Ariz., to the railhead in Rodeo, Hidalgo County, N. Mex., and (c) from any mine or mill in Cochise County, Ariz., to points in Hidalgo and Luna Counties, N. Mex., where custom mills are located; and (2) mine and mill supplies, (a) from railheads in Cochise County, Ariz., to mines and mills in Cochise County, Ariz., (b) from points in Hidalgo County, N. Mex., to mines and mills in Cochise County, Ariz., and (c) from points in Luna County, N. Mex., to mines and mills in Cochise County, Ariz. Applicant is authorized to conduct operations in Arizona and New Mexico.

No. MC 55811 Sub 25, filed September 6, 1955, CRAIG TRUCKING, INC., Albany, Ind. Applicant's attorney' Howell Ellis, 520 Illinois Building, Indianapolis, Ind. For authority to operate as a common carrier over irregular routes, transporting: Foodstuffs and food preparations, from Vandalia, Ill., to Mount Summit, Ind. Applicant is authorized to conduct operations in Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, and West Virginia.

No. MC 59457 Sub 1, filed August 18, 1955, JOSEPH A. RUBERTONE AND JOHN E. DRAGO, doing business as EASTERN LINES TRANSPORTATION, 26 Edwards Street, Hamden, Conn. Applicant's attorney Sidney L. Goldstein, 109 Church Street, New Haven, Conn. For authority to operate as a common carrier over irregular routes, transporting: Scrap and waste paper in bales, between all points in Connecticut, Massachusetts, Vermont, Rhode Island, New Hampshire and New Jersey, and points in Schenectady, Schohame, Greene, Columbia, Reinsselaer, Saratoga, Washington, Montgomery, Albany, Dutchess, Warren, Ulster, Orange, Rockland, Putnam, Westchester, Bronx, Queens, Rich-

mond and Yonkers Counties, N. Y., and Manhattan, Brooklyn, Hempstead, and North Hempstead, N. Y. Note: Applicant states in the event the Commission, upon the evidence presented, deems this to be a contract carrier operation, then in the alternative applicant requests this be considered as an application for contract carrier authority in which event applicant will request dismissal of that portion of its Certificate No. MC 59457 as would result in dual operation. Applicant is authorized to conduct operations in Connecticut, Massachusetts, Now Jersey, New York, Pennsylvania and Rhode Island.

No. MC 65106 Sub 2, filed August 30, 1955, MARTIN E. FLEMMING, doing business as M. E. FLEMMING, No. 1 Washington St., Brooklyn, N. Y. Applicant's attorney Morris Honig, 150 Broadway, New York 38, N. Y. For authority to operate as a contract carrier, over irregular routes, transporting: Shortenings, between New York, N. Y., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passalc, and Union Counties, N. J.

No. MC 66562 Sub 1249, filed September 6, 1955, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York, N. Y. Applicant's attorneys: Alston, Sibley, Miller, Spann & Shackelford, 1220 Citizens and Southern National Bank Bidg., Atlanta, Ga. For authority to operate as a common carrier over a regular route, transporting: General commodities, including Class A and B explosives, moving in express service, between Nashville, Tenn., and Crossville, Tenn., from Nashville over U.S. Highway 31-E to junction Tennessee Highway 45, thence over Tennessee Highway 45 to junction U. S. Highway 70-N, thence over U. S. Highway 70-N to Crossville, and return over the same route, serving the intermediate points of Old Hickory, Lebanon, Carthage, Double Springs, Cookeville and Monterey, Tenn., and the off-route points of Watertown, Baxter and Algood, Tenn. Applicant is authorized to conduct operations throughout the United States.

No. MC 72140 Sub 32, filed September 1, 1955, SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, Ind. Applicant's representative: Joseph P Allen, 2085 Waterman Street, Detroit 9, Mich. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving Gibraltar, Mich., as an off-route point in connection with carrier's regular route operations between Fort Wayne, Ind., and Detroit, Mich., over U. S. Highways 25 and 112.

No. MC 103378 Sub 47, filed September 2, 1955, PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. For authority to operate as a common carrier, over irregular routes, transporting: Nitric acid, in bulk, in tank vehicles,

from the Plant of E. I. du Pont de Nemours & Co., at Mineral Springs, Ala., to all points in Florida.

No. MC 103993 Sub 56, filed September 12, 1955, MORGAN DRIVE-AWAY, INC., 509 Equity Building, Elkhart, Ind. Applicant's attorney John E. Lesow, 632 Illinois Building, 17 W Market St., Indianapolis 4, Ind. For authority to to operate as a common carrier over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, by the truckaway method, in initial movements, from Macon, Ga., to all points in the United States, and damaged trailers on return.

No. MC 103993 Sub 57, filed September 12, 1955, MORGAN DRIVE-AWAY, INC., 509 Equity Bldg., Elkhart, Ind. Applicant's attorney John E. Lesow, 632 Illinois Bldg., 17 W Market St., Indianapolis 4, Ind. For authority to operate as a common carrier over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, by the truckaway method, in initial movements, from Wichita, Kans., to all points in the United States and damaged trailers on return.

No. MC 105807 Sub 17, filed August 20, 1955, MATTHEW LEO McKEONE, SR., MATTHEW LEO McKEONE, JR., JO-SEPH JAMES McKEONE, and ALBERT JOSEPH McKEONE, doing business as RED BALL TRANSFER COMPANY, 1009 Capitol Ave., Omaha, Nebr. For authority to operate as a common carrier over regular routes, transporting: Compressed gases, excepting liquified petroleum gases, in bulk, in containers mounted on government owned trailers. and empty containers or other such incidental facilities (not specified) used in transporting compressed gases, from, to, and between all points now being served in the performance of regular route operations in and through the states of Illinois, Indiana, Iowa, Kansas, Missouri, and Nebraska.

Note: The applicant is authorized to conduct operations over all of the above-referred to routes in the transportation in some instances of general commodities, with exceptions as specified, and in other instances of certain specifically named commodities but is not presently specifically authorized to transport the commodities named in this application.

No. MC 106398 Sub 43, filed September 12, 1955, NATIONAL TRAILER CON-VOY, INC., 1916 North Sheridan Road, P. O. Box 896, Dawson Station, Tulsa 15, Okla. Applicant's attorney John E. Lesow, 632 Illinois Bldg., 17 West Market Street, Indianapolis 4, Ind. For authority to operate as a common carrier, over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Clarion and Montoursville, Pa., to all points in the United States, and damaged or rejected shipments of the commodity specified on return movements. Applicant is authorized to conduct operations throughout the United States.

No. MC 106398 Sub 44, filed September 12, 1955, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, P O. Box 896, Dawson Station,

Tulsa 15, Okla. Applicant's attorney John E. Lesow, 632 Illinois Bldg., 17 West Market Street, Indianapolis 4, Ind. For authority to operate as a common carner over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Macon, Ga., to all points in the United States, and damaged and rejected shipments of the above-named commodity on return. Applicant is authorized to conduct operations throughout the United States.

No. MC 106398 Sub 45, filed September 12, 1955, NATIONAL TRAILER CON-VOY, INC., 1916 North Sheridan Road, P. O. Box 896, Dawson Station, Tulca 15, Okla. Applicant's attorney John E. Lesow, 632 Illinois Bldg., 17 West Market Street, Indianapolis 4, Ind. For authority to operate as a common carrier, over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Wichita, Kans., to all points in the United States, and damaged or rejected shipments of the commodity specified on return movements. Applicant is authorized to conduct operations throughout the United States.

No. MC 106679 Sub 2 (amended) filed July 19, 1955, OSBOURN TRUCKING COMPANY, a corporation, 452 South Hewitt St., Los Angeles, Calif. Applicant's attorney. Donald Murchison, 119 South Beverly Drive, Beverly Hills, Calif. For authority to operate as a common carrier over regular routes, transporting: General commodities, including Class A and B explosives, commodities in bulk, and those requiring special equipment, but excluding commodities of unusual value, livestock, and household goods as defined by the Commission, from (1) Long Beach, Calif. over Califorma Highway 19 to junction U.S. Highway 91 just north of Long Beach, thence over U. S. Highway 91 to the Nevada-Arizona State line just east of Mesquite, Nev., (2) San Pedro, Calif. over U. S. Highway 6 to Los Angeles, Calif., thence over U. S. Highway 6 to junction U. S. Highway 466 at or near Mojave, Calif., thence over U.S. Highway 466 to junction U.S. Highway 66 at or near Barstow, Calif., thence over U.S. Highway 66 to junction U.S. Highway 95 near Needles, Calif., thence over U.S. Highway 95 to junction unnumbered highway just south of Mercury, Nev., thence over said unnumbered highway to Mercury, Nev., (3) Glendale, Nev. over U.S. Highway 93 to a point where it intersects the boundary line between White Pine. and Lincoln Counties, Nev., (4) Alunite, Nev. over U.S. Highway 93 to a point where it intersects the Nevada-Arizona State line at or near Hoover Dam; (5) Vincent, Calif., over unnumbered highway to junction California Highway 138. thence over California Highway 138 to junction unnumbered highway, thence over said unnumbered highway to junction U.S. Highway 91 approximately two miles south of Victorville: (6) Santa Monica, Calif. over U.S. Highway 66 to San Bernardino, Calif., (7) Los Angeles Harbor, Calif. over Truck Boulevard to junction U.S. Highway 99, thence over

U. S. Highway 99 to Colton, Calif., (8) Long Beach, Calif. over California Highway 15 to Los Angeles, Calif., and (9) Pomona, Calif. over U. S. Highway 60 to Riverside, Calif., and thence return over above specified routes to Long Beach and San Pedro, Calif., Glendale and Alumite, Nev., and Vincent, Santa Monica, Los Angeles Harbor, and Pomona, Calif., serving all intermediate points on said routes, and all off-route points located in San Luis Obispo, Kern, Santa Barbara, Ventura, Los Angeles, Orange, San Bernardino, Riverside, San Diego, and Imperial Counties, Calif., and Clark and Lincoln Counties, Nev. Applicant is not presently authorized to conduct any regular route operations but is authorized to conduct irregular route operations in California, and Nevada.

No. MC 107295 Sub 50, filed August 8, 1955, PRE-FAB TRANSIT CO., a corporation, Farmer City, Ill. Applicant's attorney Mack Stephenson, First National Bank Building, Springfield, Ill. For authority to operate as a common carrier over irregular routes, transporting: Aluminum windows, storm windows, and storm doors, fully assembled and including glazing, uncrated, from points in New York, to points in Alabama, Louisiana, Mississippi, Nebraska, North Carolina, Pennsylvania, South Dakota, Texas, Virginia, West Virginia, and Oklahoma. Applicant is authorized to conduct operations in the District of Columbia and all states in the United States excepting California, Idaho, Nevada, New Mexico, Oregon, South Carolina, Washington, and Arizona.

No. MC 107369 Sub 10, filed September 1, 1955, VERNON LLOYD MILLER, doing business as VERNON L. MILLER, TRUCKING, 2607 East 7th Street, Cheyenne, Wyo. Applicant's representative: Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo. For authority to operate as a common carrier over irregular routes, transporting: (1) Manufactured light weight aggregate, and (2) coment, in bulk, and in packages, in suitable type vehicles, between points in Wyoming. Colorado, Nebraska, and South Dakota. Applicant is authorized to conduct operations in Colorado, Nebraska, and Wyoming.

No. MC 107403 Sub 210, filed August 30, 1955, E. BROOKE MATLACK, INC., 33d and Arch Streets, Fhiladelphia 4, Pa. Applicant's attorney Paul F. Barnes, 811-19 Lewis Tower Building, 225 South 15th St., Philadelphia 2, Pa. For authority to operate as a common carrier over irregular routes, transporting: Corn syrup, in bull:, in tank vehicles, from Richmond, Va., to points in Tennessee.

Nove: Applicant does not presently hold any authority to transport the commodity named in this application but has application pending in No. MC 107403 Sub 203 for authority to transport said commodity from Richmond, Vo. to nointo in Maryland, North Carolina, and the District of Columbia.

No. MC 103053 Sub 14 (amended) filed August 15, 1955, LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., business address: 214 Sunshine Building, Albuquerque, N. Mex., and mailing address: P. O. Box 1086, Topelia, Kans.

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Applicant's attorney Erle W Francis, Veterans of Foreign Wars Bldg., 214 West 6th St., Topeka, Kans. For authority to operate as a common carrier over irregular routes, transporting: Foods, both frozen and unfrozen, which require transportation at frozen or controlled temperatures; materials, including, but not limited to fresh fruits and vegetables, used in the preparation of foods which require transportation at frozen or controlled temperatures; fresh fruits and vegetables when moving as a part of cargo of other commodities; and materials used in the preparation of foods for transportation at frozen or controlled temperatures, between points in California, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Nebraska, North Dakota, South Dakota, and Wisconsin. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, Nevada, New Mexico, South Dakota, and Texas.

No. MC 108207 Sub 43, filed August 29, 1955, FROZEN EXPRESS, a corporation, P O. Box 5382, 318 Cadiz St., Dallas, Tex. Applicant's attorney Leroy Hallman, First National Bank Building. Dallas 2, Tex. For authority to operate as a common carrier over irregular routes transporting: Meats, meat products, meat by-products, and-dairy products, as defined by the Commission, from Arkansas City, and Wichita, Kans., to points in Arizona, and New Mexico. Applicant is authorized to conduct operations in Arkansas, California, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and

Wisconsin.

No. MC 108380 Sub 40, filed September 9, 1955, JOHNSTON'S FUEL LINERS, INC., P O. Box 328, Newcastle, Wyo. Applicant's attorney Stockton, Linville and Lewis, The 1650 Grant Street Bldg., Denver 3, Colo. For authority to operate as a common carrier over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from Billings, Mont. (1) to points in South Dakota on and west of a line beginning at the North Dakota-South Dakota state line and extending along U.S. Highway 83 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 183, thence along U.S. Highway 183 to South Dakota-Nebraska state line; (2) points ın Scotts Bluff, Sioux, Box Butte, Dawes and Sheridan Counties, Nebr., and (3) points in Wyoming on and east of U.S. Highway 87. Applicant is authorized to conduct operations in Colorado, Idaho, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming.

No. MC 108461 Sub 43, filed August 28, 055, WHITFIELD TRANSPORTA-1955. TION, INC., 220 W Amador, P O. Box 1350, Las Cruces, N. Mex. For authority to operate as a common carrier over regular routes, transporting: General commodities, including Class A, B, and C explosives and those classified as dangerous articles, except articles of unusual value, household goods as defined by the Commission, commodities in bulk.

and commodities requiring special equipment (but not including those requiring between Albuquerque, réfrigeration) Holloman Air Force Base, and Alamogordo, N. Mex., (1) from Albuquerque over U.S. Highway 85 to Las Cruces, N. Mex., thence over U.S. Highway 70 to Holloman Air Force Base, thence over U. S. Highway 70 to Alamogordo, N. Mex., and return over the same routes, serving all intermediate and off-route points within five (5) miles of U.S. Highways 85 and 70, and (2) from Albuquerque over U.S. Highway 85 to San Antonio, N. Mex., thence over U.S. Highway 380 to Carrizozo, N. Mex., thence over U. S. Highway 54 to Alamogordo, thence over U.S. Highway 70 to Holloman Air Force Base, and return over the same routes, serving no intermediate points, as an alternate route in connection with the operations in (1) above, for operating convenience only. Applicant is authorized to conduct operations in New Mexico and Texas.

No. MC 110098 Sub 15, filed August 1, 1955, amended September 8, 1955, published in August 10 issue, page 5798, ZERO REFRIGERATED LINES, Room 201 Administrative Bldg., 1500 So. Zarzamora Street, San Antonio 7, Tex. Applicant's attorney. Leroy Hallman, First National Bank Bldg., Dallas 2, Tex. For authority to operate as a common carrier over irregular routes, transporting: (1) Meat, meat products and meat byproducts, as defined by the Commission. (a) between Fremont, Nebr., Austin, Minn., Madison, Wis., and Fort Dodge, Dubuque, Ottumwa and Davenport, Iowa, on the one hand, and, on the other, points in Texas, and (b) between San Antonio, Tex., on the one hand, and, on the other, points in Kansas, Missouri and Illinois and Pennville, Ind., Detroit, Mich., and Sioux City, Iowa; and (2) frozen foods, between points in Minnesota, Iowa and Wisconsin, on the one hand, and, on the other, points in Texas and Louisiana. Applicant is authorized to conduct operations in California, Iowa, Louisiana, Minnesota, Oregon, Texas. Washington and Wisconsin.

No. MC 110140 Sub 3, filed August 8, 1955, amended September 7, 1955, MAYO ROBISON, doing business as LUMBER TRUCKING SERVICE, 943 Nebraska Street, Seattle, Wash. Applicant's attorney George R. LaBissomere, 835 Central Bldg., Seattle 4, Wash. For authority to operate as a common carrier over irregular routes, transporting: Lumber from the International Boundary Line between the United States and Canada, at or near Sumas, Wash., to Seattle, Wash. Restricted to International traffic destined to Langley, Fort Langley and Mission City, British Columbia, Canada. Applicant is authorized to conduct operations in Washington.

No. MC 110190 Sub 29, filed September 1, 1955, PENN-DIXIE LINES, INC., 2000 S. George St., P O. Box 42, York, Pa. Applicant's attorneys: Christian V Graf. 11 N. Front St., Harrisburg, Pa., and Robert R. Hendon, 310 Investment Bldg., Washington 5, D. C. For authority to operate as a common carrier over irregular routes, transporting: Cookies, from Phoenixville, Pa. to points in Florida.

No. MC 110193 Sub 24, filed August 22, 1955, SAFEWAY TRUCK LINES, INC., 4625 W 55th Street, Chicago, Ill. Applicant's attorney Joseph M. Scanlan, 111 West Washington St., Chicago 2, Ill. For authority to operate as a common carrier over irregular routes, transportmg: Meat, meat products and meat byproducts, dairy products, and articles distributed by meat-packing houses, as defined by the Commission, between Albert Lea, Minn., Sloux City, Des Moines, Cedar Rapids, Iowa, and Omaha, Nebr., on the one hand, and, on the other, points in Ohio, Pennsylvania, New York, New Jersey, Massachusetts, Rhode Island, Connecticut, Delaware, and Maryland. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Iowa, Kansas, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Wisconsin,

and the District of Columbia.

No. MC 111545 Sub 11, filed September 8, 1955, JIMMIE H. AYER, INC., doing business as HOME TRANSPOR-TATION COMPANY, Route 3, 928 Four Lane Highway, Marietta, Ga. Applicant's attorney Allan Watkins, 214 Grant Building, Atlanta 3, Ga. For authority to operate as a common carrier. over irregular routes, transporting: (1) truck bodies, from Griffin, Ga., to points in Ohio, and (2) soil pipe, cast iron pipe and fittings, and lumber from points in Alabama, Georgia, Tennessee, North Carolina, South Carolina, and Florida, to points in Iowa, Missouri, Wisconsin, Minnesota, Illinois, and Indiana, Applicant does not presently hold any authority to transport the commodities named in this application.

No. MC 112020 Sub 11, filed August 29, 1955, COMMERCIAL OIL TRANSPORT, a corporation, 1030 Stayton Street, Ft. Worth, Tex. Applicant's attorney Leroy Hallman, First National Bank Building, Dallas 2, Tex. For authority to operate as a common carrier, over irregular routes, transporting: Liquid fish, aquatic animal products and marine animal products, including but not limited to fish oil residuum (fish press water) fish oil, fish oil foots and fish oil sediments, and fish solubles, in bulk, in tank vehicles, (1) between points in Texas and Louisiana, and (2) from points in Texas and Louisiana to points in Arkansas, Colorado, Kansas, Iowa, Missouri, Nebraska, and Oklahoma.

No. MC 113493 Sub 1, filed September 8, 1955, K. C. BALDWIN, 25 Webster Street, P O. Box 319, Bradford, Pa. Applicant's attorney Henry M. Wick, Jr., 1211 Berger Bldg., Pittsburgh 19, Pa. For authority to operate as a common carrier over irregular routes, transportmg: Machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, between points in Pennsylvania, Ohio, West Virginia, Kentucky and Tennessee. Applicant is authorized to conduct operations in New York, Ohio, Pennsylvania and West Virginia.

No. MC 114091 Sub 5, filed August 25, 1955, DIRECT TRANSPORT COMPANY OF KENTUCKY, INC., 4204 Norbourne Blvd., Lousville, Ky. Applicant's attorney Ollie L. Merchant, 712 Lousville Trust Building, Lousville 2, Ky. For authority to operate as a common carrier over irregular routes, transporting: Petroleum and petroleum products, as defined by the Commission, in bulk, in tank vehicles, from points in Daviess County, Ky., to points in Indiana on and south of U. S. Highway 40.

No. MC 115157 Sub 1, filed September 12, 1955, FRANCIS P. LONG, doing business as LONG COAL AND HAULING COMPANY, 128 Friendship Avenue, Duquesne, Pa. Applicant's attorney FRANK C. RONEY—BLOOM, BLOOM & YARD, Washington Trust Building, Washington, Pa. For authority to operate as a contract carrier over irregular routes, transporting: Coal, coke, canders, and by-products thereof, from points in Allegheny, Westmoreland and Washington Counties, Pa., to points in Hancock, Brooke, Ohio, Marshall, Wetzel and Monongalia Counties, W Va., and Trumbull, Mahoning, Columbiana and Jefferson Counties, Ohio.

and Jefferson Counties, Ohio. No. MC 115270 Sub 1, filed September 6, 1955, ZIGMOND HANZ and LAW-RENCE HANZ, doing business as HANZ TRUCKING COMPANY, Schofield, Wis. Applicant's attorney Claude J. Jasper, 1 West Main Street, Madison 3, Wis. For authority to operate as a contract carrier over irregular routes, transporting: Fertilizer in bulk, (1) from Hartsdale, Ind., to points in Wisconsin on and south of a line beginning at La Crosse, Wis., and extending along U.S. Highway 16 to Wisconsin Dells, Wis., thence along Wisconsin Highway 23 to Sheyboygen, Wis., serving all points on the indicated portions of the highways specified, and (2) from Hartsdale, Ind., to Pickett, Wis.

No. MC 115407, filed June 14, 1955, STEEL EXPRESS, INC., 120—139th Street, Hammond, Ind. Applicant's attorney Franklin R. Overmyer, Harris Trust Building, 111 West Monroe Street, Chicago 3, Ill. For authority to operate as a contract carrier over irregular routes, transporting: Iron and steel articles, as defined by the Commission in Ex Parte No. MC-45, between Hammond, Ind., on the one hand, and, on the other, points in Cook, Kankakee, Will, Grundy, Kendall, De Kalb, Kane, Lake, Du Page and McHenry Counties, Ill.

No. MC 115436. MONTERREY FREIGHT FORWARDING CORPORA-TION, a Texas corporation, P O. Box 1110, Brownsville, Tex. Applicant's attorney Maynard F. Robinson, Frost National Bank Bldg., San Antonio, Tex. For authority to operate as a common carrier over irregular routes, transportmg: General commodities, including household goods as defined by the Commission, but excluding those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, (1) between Hidalgo, Tex., and points in the United States within 15 miles thereof, on the one hand, and, on the other, Brownsville, Tex., and (2) between Brownsville, Tex., on the one hand, and, on the other, points in the United States within 25 miles of Brownsville, Tex. Applicant states that the transportation sought herein involves foreign commerce only, and further also seeks contract carrier authority for the above-described operations in instant application. Section 210 (dual operations) are here involved.

210 (dual operations) are here involved. No. MC 115437, MONTERREY FREIGHT FORWARDING CORPORA-TION, a Texas corporation, P. O. Box 1110, Brownsville, Tex. Applicant's attorney Maynard F. Robinson, Frost National Bank Bldg., San Antonio, Tex. For authority to operate as a contract carrier over irregular routes, transporting: General commodities, including household goods as defined by the Commission, but excluding commodities of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, between points in Cameron and Hidalgo Counties, Tex., on the one hand, and, on the other, points in the United States including the District of Columbia. Applicant states: Instant application proposes service for only the following corporations, Mex-Cal Glass Corporation, Monterrey Glass Processing Corporation, and Monterrey Sales Corporation, all Texas corporations, and Mex-Cal Commodities Corporation, a California corporation. Applicant further seeks common carrier authority for the above-described operations in instant application. Section 210 (dual operations) are here involved.

No. MC 115492 Sub 1, filed September 12, 1955, MAURICE A. HORTON, Houlton, Maine. Applicant's attorney William D. Pinansky, 403–4–5 Clapp Memorial Building, 443 Congress Street, Portland 3, Maine. For authority to operate as a common carrier, over irregular routes, transporting: Prefabricated buildings, complete, knocked down or in sections, and when transported in connection therewith, component parts thereof, and equipment and materials incidental to the erection and completion of such buildings, from Houlton, Maine, to points in Connecticut, Delaware, Indiana, Maryland, Massachucetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and Virginia.

No. MC 115516, filed August 15, 1955, HAROLD STEPHENS TRUCK LINES, INC., Highway 101 North Crescent City, Calif. Applicant's attorney J. Ralph Arnold, Ninth and L Streets, Crescent City, Calif. For authority to operate as a common carrier, over irregular routes, transporting: Lumber (all sizes), rough and dressed, (1) from points in Del Norte and Humboldt Counties, Calif., to docks at Fields Landing and Eurelia, Calif., (2) from points in Del Norte County, Calif., to Coos Bay, Oreg., (3) from points in Curry County, Oreg., to Crescent City, Calif., and (4) from points in Del Norte County, Calif., to points in Del Norte County, Calif., to points in Josephine and Jackson Counties, Oreg., and empty containers or other such incidental facilities (not specified) used in transporting the above-described commodity on return movements.

No. MC 115537, filed August 23, 1955, LOUIS PALADINO, 44 Blackford

Avenue, Yonkers, N. Y. Applicant's attorney. Martin Werner, 295 Madison Avenue, New York 17, N. Y. For authority to operate as a common carrier over irregular routes, transporting: Homing pigeons, in seasonal operations during the period between March 1st and October 31st of each year, both inclusive, between New York, N. Y., points in Westchester County, N. Y., and points in Fairfield County, Conn., on the one hand, and, on the other, Bergen, Essex, Hudson, Mercer, Middlesex, Monmouth, Somerset and Union Counties, N. J., and New York, N. Y., together with PETITION FOR DETERMINATION OF STATUS, DISMISSAL OF CERTIFICATE APPLICATION, AND OTHER RELIEF, wherein petitioner states that his transportation of pigeons in the course of his training service is incidental to his pigeon training business, and therefore does not require operating authority for the conduct thereof.

No. MC 115539, filed August 24, 1955, ROY N. ROBISON, Route 1, Wilder, Idaho. For authority to operate as a contract carrier, over regular and irregular routes, transporting: Ore and ore concentrates, in bull:, from South Mountain Mine approximately 25 miles southwest of Jordan Valley, Oreg., to Salt Lake City, Utah, and points within 30 miles thereof, from South Mountain Mine over unnumbered road to Jordan Valley, Oreg., thence over U.S. Highway 95 to junction Idaho Highway 72, thence over Idaho Highway 72 to junction U.S. Highway 30 near Nampa, Idaho, thence over U. S. Highway 30 to Burley, Idaho, thence over U.S. Highway 30S to junction U.S. Highway 91, thence over U.S. Highway 91 to Salt Lake City, and thence over irregular routes to points within 30 miles of Salt Lake City, serving no intermediate points on the above-specified route.

No. MC 115543, filed August 29, 1955, MELVIN L. SELLY and RAYMOND F. DERNER, doing business as SELLY-DERNER TRUCKING, 518 So. Washington St., St. Peter, Minn. Applicant's attorney Hoyt Crooks, 842 Raymond Ave., St. Paul 14, Minn. For authority to operate as a contract carrier over irregular routes, transporting: (1) stone, both rough and finished, from the quarry plant building of the Vetter Company in Lime Township, Blue Earth County, Minn., located 200 yards west of a point on Blue Earth County (Minn.) Road No. 123 (Old Bottom Road 5) two and three-tenths (2.3) miles north of the city limits of Mankato, Minn., to points in the United States, including the District of Columbia, excepting those located in and on the boundaries of the states of Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, and New Mexico, and (2) empty containers or other such meadental facilities (not specified) used in transporting stone, both rough and finished, from points in the above-specified destination territory, to the above-specified origin point. Applicant does not presently hold any authority from this Commission.

No. MC 115545, filed August 29, 1955, GLENN O. NELSON, Route 1, Beldenville, Wis. For authority to operate as 7092 NOTICES

a common carrier over a regular route, transporting: Coal, in bulk, from Red Wing, Minn., to River Falls, Wis., from Mississippi River Barge terminal in Red Wing, Minn., over East Avenue to junction Main Street, thence over Main Street to junction Bluff Street, thence over Bluff Street to the Minnesota-Wisconsin State line, and thence over Wisconsin Highway 35 to River Falls, serving the intermediate points of Hager City, Ellsworth and Beldenville, Wis., and off-route points within two miles on each side of Wisconsin Highway 35.

No. MC 115553, filed September 6, 1955, LEONARD BOLIN, 414 Riley Road, East Chicago, Ind. Applicant's attorney. Louis E. Smith, 1800 N. Meridian Street, Suite 503, Indianapolis 4, Ind. For authority to operate as a common carrier over irregular routes, transporting: Iron and steel and iron and steel articles. Between points in the Chicago, Ill., Commercial Zone, as defined by the Commission, and Lake County, Indiana, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Ohio, Michigan and Wisconsin.

No. MC 115555, filed September 6, 1955, HERBERT L. JOHNSON, doing business as H. L. JOHNSON TRUCKING COM-PANY, P O. Box 926, Fort Morgan, Colo. Applicant's attorney: Robert S. Stauffer, 1510 East 20th Street, Chevenne. Wyo. For authority to operate as a common carrier over irregular routes, transporting: (1) machinery, equipment, materials and supplies used in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products; and (2) machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, be-tween points in Colorado, Wyoming and Nebraska.

No. MC 115556, DOUGLAS DeWITT, 215 Madison, Oconto, Wis. Applicant's attorney Claude J. Jasper, One West Main Street, Madison, Wis. For authority to operate as a common carrier over irregular routes, transporting: lumber rough and finished, and sawdust, between Oconto, Wis., and points in Michigan, Minnesota, Iowa, Illinois, Indiana and Ohio.

No. MC 115557, filed September 6, 1955, CHARLES A. McCAULEY, 308 Leasure Way, New Bethlehem, Pa. Applicant's attorney H. Ray Pope, Jr., Clarion, Pa. For authority to operate as a common carrier over irregular routes, transporting: Clay, in bulk, in dump or tank vehicles, from points in Clarion and Clinton Counties, Pa., to points in Ohio, and on return movement, Lime, from points in Ohio to Punxsutawney, Jefferson County, Pa.

No. MC 115558 Sub 1, filed September 9, 1955, E. D. TOWSON, Ocilla, Ga. Applicant's attorney Paul M. Daniell, 514 Grant Bldg., Atlanta, Ga. For authority to operate as a common carrier, over irregular routes, transporting: Lumber, from points in Georgia on and south of U. S. Highway 80 to points in Florida.

APPLICATIONS FOR BROKERAGE LICENSÉS

No. MC 12633, filed August 22, 1955. JAMES MANSON McMILLAN, doing business as EDUCATIONAL TOURS, 930 North Fourth Avenue, Knoxville, Tenn. Applicant's attorney Charles A. Maner, 214 Empire Building, Knoxville, Tenn. For a license as a broker at Knoxville. Tenn., in arranging for the transportation of Passengers and their baggage in the same vehicle with passengers, in interstate or foreign commerce, in round trip special and charter operations, beginning and ending at Knoxville, Tenn., and extending to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Massachusetts, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, Wyoming, and the District of Columbia.

APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 228 Sub 15, amended July 25. 1955, published in the June 15, 1955 issue, on page 4204, HUDSON TRANSIT LINES, INC., Franklin Turnpike, Mahwah, N. J. Applicant's attorney James F. X. O'Brien, 17 Academy Street, Newark 2, N. J. For authority to operate as a common carrier over irregular routes. transporting: Passengers and their baggage, in special operations, in round trip sightseeing and pleasure tours, from Suffern, Monroe, Goshen, Middletown. Monticello, Liberty, Hancock, Deposit, Binghamton, Endicott, Port Jervis, Newburgh, Highland and Kingston, N. Y., Hawley, Carbondale and Forest City, Pa., and all points within three miles of each of said points, and New York City and Wurtsboro, N. Y., Mahwah, N. J., and points in Pike County, Pa., to Graymoor, Hyde Park and West Point, N. Y., Washington, D. C., Atlantic City and Asbury Park, N. J., Philadelphia, Crystal Cave and Valley Forge, Pa., Annapolis, Md., and to the ports of entry in New York at the International Boundary between the United States and Canada, on highways running to Montreal, Canada, and return. Applicant is authorized to conduct regular route operations in New Jersey, New York and Pennsylvania.

No. MC 228 Sub 16 (corrected) filed June 22, 1955, published in the August 10, 1955 issue, on page 5800, HUDSON TRANSIT LINES, INC., Franklin Turn-pike, Mahwah, N. J. Applicant's attorney James F X. O'Brien, 17 Academy Street, Newark 2, N. J. For authority to operate as a common carrier over irregular routes, transporting: Passengers and their baggage, in the same vehicle with passengers, in special round trip operations, during the racing seasons of the following Race Tracks: Beginning and ending in Suffern, Goshen, Middletown, Wurtsboro, Monticello, Liberty, Binghamton, Endicott, Port Jervis, Newburgh and Kingston, N. Y., Milford and Carbondale, Pa., Mahwah, N. J., and all points within three miles of each of the above points, and extending to Saratoga Race Track, Saratoga Springs, N. Y.,

Roosevelt Raceway, Westbury, Long Island, N. Y., and Yonkers Raceway, Yonkers, N. Y., Monmouth Park Race Track, Oceanport, N. J., Garden State Race Track, Delaware, N. J., Freehold Trotting Track, Freehold, N. J., and Atlantic City Race Track, Hamilton Township, N. J., Delaware Park Race Track, Wilmington, Del., Pimilico Race Track, Baltimore, Md., Bowie Race Track, Baltimore, Md., Bowie Race Track, Laurel, Md., and Laurel Race Track, Laurel, Md., and Lincoln Downs Race Track, Lincoln, R. I. Applicant is authorized to conduct regular route operations in New Jersey, New York and Pennsylvania.

No. MC 1510 Sub 55, filed September 2, 1955, SOUTHWESTERN GREYHOUND LINES, INC., 210 E. Ninth Street, Fort Worth, Tex. Applicant's attorney William M. Brown, 1210 Electric Building, Fort Worth, Tex. For authority to operate as a common carrier, over regular routes, transporting: Passengers and their baggage, and newspapers, express and mail, in the same vehicle with passengers, (1) between Houston, Tex., and Port Arthur, Tex., from Houston over Texas Highway 73 via Cove, Wallisville and Winnie, Tex., to Port Arthur, and return over the same route, serving all intermediate points, (2) between junction Texas Highways 73 and 61 and Winnie, Tex., from junction Texas Highways 73 and 61, east of Wallisville, Tex., over Texas Highway 61 to the intersection with Texas Highway 73-T, thence over Texas Highway 73-T to Stowell, Tex., thence over Texas Highway 124 to Winnie, and return over the same route, serving all intermediate points, and (3) between Winnie, Tex., and Beaumont, Tex., from Winnie over Texas Highway 124 via Hamshire and Fannett to Beaumont, and return over the same route. serving all intermediate points.

No. MC 1511 Sub 107, filed August 29, 1955, PACIFIC GREYHOUND LINES. a corporation, 371 Market Street, San Francisco 5, Calif. Applicant's attorney. Earl A. Bagby, Greyhound Building, Market and Fremont Streets, San Francisco 5, Calif. For authority to operate as a common carrier, over a regular route, transporting: Passengers and their baggage, in special operations, between Squaw Junction, Calif. (junction newly designated California Highway 89 and unnumbered highway) and Squaw Valley, Calif., approximately two miles west of Squaw Valley Junction, over unnumbered highway serving no intermediate points. Applicant is authorized to conduct operations in Arizona, California, Nevada, New Mexico, Oregon,

Texas, and Utah.

No. MC 29854 Sub 21, filed August 29, 1955, THE HUDSON BUS TRANSFORTATION CO., INC., 437 Tonnele Avenue, Jersey City, N. J. For authority to operate as a common carrier, over irregular routes, transporting: Passengers and their baygage, in the same vehicle with passengers, in special round-trip scasonal operations during the authorized racing seasons of each year, at the race tracks indicated, beginning and ending in points in Hudson County N. J., and extending to the Monmouth Park Jockey Club Race Track, Oceanport, N. J., the

Garden State Race Track, Delaware Township, N. J., the Freehold Trotting Track, Freehold, N. J., the Atlantic City Race Track, Hamilton Township, N. J., the Acqueduct Race Track, New York, N. Y., the Jamaica Race Track, New York, N. Y., the Belmont Park Race Track, Nassau County, N. Y., the Roosevelt Raceway, Westbury, L. I., N. Y., the Yonkers Raceway, Yonkers, N. Y., the Saratoga Race Track, Saratoga, N. Y., the Good Time Park Trotting Track, Goshen, N. Y., the Delaware Park Race Track, Wilmington, Del., the Pimlico Race Track, Baltimore, Md., the Bowie Race Track, Bowie, Md., the Laurel Park Race Track, Laurel, Md., and the Lincoln Downs Race Track, Lincoln, R. I. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

No. MC 61335 Sub 1, filed September 9, 1955, TRANS-BRIDGE LINES, INC., Broad Street, P. O. Box 146, Phillipsburg, N. J. Applicant's attorney Christian V Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a common carrier over a regular route, transporting: Passengers and their baggage in the same vehicle with passengers, between East Stroudsburg, Pa., and the plant of Tung Sol Electric, Inc., Washington, N. J., from East Stroudsburg over U. S. Highway 209 to junction U. S. Highway 611, thence over U. S. Highway 611 to junction Alternate U.S. Highway 611, thence over Alternate U.S. Highway 611 to Portland, Pa., thence over U.S. Highway 611 over Portland Toll Bridge to junction U.S., Highway 46, thence over U.S. Highway 46 to junction New Jersey Highway 69, thence over New Jersey Highway 69 to plant of Tung Sol Electric, Inc., Washington, N. J., and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations ın New Jersey, New York, Pennsylvanıa, Virginia and the District of Columbia.

No. MC 94214 Sub 3, filed September 8, 1955, SHAPIRO LIMOUSINE SERV-ICE, INC., 7419 20th Ave., Brooklyn 4, N. Y. Applicant's representative: Charles H. Trayford, 155 East 40th Street, New York 16, N. Y. For authority to operate as a common carrier over irregular routes, transporting: Passengers and their baggage, in special operations, in non-scheduled, door-to-door service, limited to the transportation of not more than six passengers in any one vehicle, but not including the driver thereof and not including children under ten years of age who do not occupy a seat or seats, during the season extending from the 15th day of May to the 30th day of September, inclusive, between New York, N. Y., and Callicoon Township, located in Sullivan County, N. Y. Applicant is authorized to conduct operations in New York.

No. MC 115530, filed July 26, 1955, published in the September 8, 1955 issue on page 6598, amended September 12, 1955, JOHN W PATTERSON, Hilton Head, S. C. For authority to operate as a common carrier over a regular route, transporting: Passengers, between Hilton Head, S. C., and Savannah, Ga., from

Hilton Head over unnumbered highways to Hilton Head Toll Ferry, thence over South Carolina Highway 39 to Bluffton, S. C., thence over South Carolina Highway 46 to junction South Carolina Highway 170, thence over South Carolina Highway 170 to junction U. S. Highway 17, thence over U. S. Highway 17 to junction U. S. Highway 17A, thence over U. S. Highway 17A to Savannah, and return over the same route, serving all intermediate points.

APPLICATIONS UNDER SECTION 5 AND 210A (B)

No. MC-F 6062. Authority sought for purchase by SHIP-BY-TRUCK COM-PANY, doing business as GRAHAM SHIP-BY-TRUCK CO., 1321 W. 8th St., Kansas City, Mo., of a portion of the operating rights of H. R. LEONARD and DOYLE B. LEONARD, doing business as LEONARD BROTHERS TRANSPORT COMPANY, 124 Van Buren St., Topelia, Kans., and for acquisition by W. H. ARNOLD, J. L. DAVIS, and B. J. DAVIS, all of Kansas City, Mo., of control of the operating rights through the purchase. Applicants' attorney. J. Wm. Townsend, 204-206 Central Bldg., Topeka, Kans. Operating rights sought to be transferred: General commodities, with certain exceptions including household goods, as a common carrier, over regular routes, between Topeka, Kans., and the 832nd Supply Depot and the Forbes Army Air Base, located at or near Pauline, Kans., restricted against performing any service between Atchicon, Leavenworth, and Lawrence, Kans., on the one hand, and, on the other, the 832nd Supply Depot and the Forbes Army Air Base, serving no intermediate points. Vendee is authorized to operate in Missouri and Kansas. Application has not been filed for temporary authority under Section 210a (b)

No. MC-F 6064. Authority sought for control by BUCH EXPRESS, INC., 2000 Paxton St., Harrisburg, Pa., of the operating rights and property of BINGA-MAN MOTOR EXPRESS CO., INC., 16 Bridge Arch, New York, N. Y., and for acquisition by A. L. BUCH, SONDELL COLEMAN, and RAYMOND BUCH, all of Harrisburg, Pa., of control of such rights and property through the transaction. Applicant's attorney. William Biederman, 280 Broadway, New York 7, N. Y. Operating rights sought to be controlled: General commodities, with certain exceptions including household goods, as a common carrier over regular routes, between Reading, Pa., and New York, N. Y., and the boundarys of the United States and Canada at points near Niagara Falls, N. Y., and Rouses Point, N. Y., serving certain intermediate and off-route points. Buch Express, Inc., is authorized to operate in Pennsylvania, New York, Maryland, New Jersey, Virginia, Delaware, and the District of Columbia. Application has been filed for temporary authority under Section 210a

No. MC-F 6071. Authority sought for purchase by BAGGETT TRANSPORTA-TION COMPANY, 2 S. 32nd St., Birmingham, Ala., of portion of the operating rights and certain property

of HOLLOWAY TRANSFER COM-PANY, INCORPORATED, Gadiden, Ala., and for acquisition by W D. SELLERS, JR., also of Birmingham, of control of the rights and property through the purchase. Applicant's attorney James W. Wrape, 2111 Sterick Bldg., Mempins, Tenn. Operating rights sought to be transferred: General commodities, with certain exceptions including household goods, as a common carrier over regular routes, between Birmingham, Ala., and Atlanta, Ga., between Anniston, Ala., and Gadsden, Ala., and between junction U. S. Highway 11 and Alabama Highway 7, near Springville, Ala., and Gadsden, Ala., serving certain intermediate and off-route points. Vendee is authorized to operate as a common carrier in Alabama, New York, Pennsylvania, New Jercey, Texas, and Florida, and as a contract carrier in Iowa, Alabama, Indiana, Florida, Louisiana, Missouri, Texas, Illinols, Kentucky, New Jersey, Virgima, West Virginia, New York, Pennsylvania, Tennessee, Oklahoma, Mississippi, Arkansas, Georgia, Delaware, Kansas. North Carolina, Maryland, South Carolina, Michigan, Minnesota, North Dakota, Ohio, South Dakota, Wisconsin, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Nebraska, Colorado, Utah, Wyoming, New Mexico, and the District of Columbla. Application has been filed for temporary authority under Section 210a (b)

No. MC-F 6072 Authority sought for purchase by CONSOLIDATED FREIGHTWAYS, INC., 2029 N. W. Quimby St. Portland, Oregon, of a portion of the operating rights of ARROW-HEAD FREIGHT LINES, LTD., 2222 E. 38th St., Los Angeles 58, Calif., and for acquisition by E. W. A. PEAKE and WANDA PEAKE, both of Hollywood, Calif., PEERLESS, INC., LELAND JAMES and ERIC RENDAHL, all of Portland, of control of the rights through Applicant's attorney the purchase. William B. Adams, Pacific Bldg., Port-land 4, Oregon, and W. S. Pilling, P. O. Box 3618, Portland 8, Oregon. Operating rights sought to be transferred: Mud compounds and mud treating compounds, ground clay, extract of quebracho, processed cand, common salt, barium sulphate, caustic soda, pyrophosphates, and cottonseed hulls, as a common carrier over irregular routes, from points in Kern, Kings, Los Angeles, San Bernardino, Orange, and Ventura Counties, Calif., to certain points in Nevada; logging, mixing, farming, and road building machinery, dredges, contractor's equipment, heavy machinery, structural steel, storage tanks, prefabricated from and steel products, contractors' outfits, and contractors' supplies, from, to and between certain points in Idaho, Oregon, Wachington and Nevada. Vendee is authorized to operate in California, Idaho, Illinois, Iowa, Minnesota, Montana, Nevada, North Dakota, Oregon, Utah, Washington, Wisconsin, and Wyoming. Application has not been filed for temporary authority under Section 210a (b).

No. MC-F 6073. Authority sought for control by CEMENT DISTRIBUTORS, INCORPORATED, 5200 E. Marginal

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Way, Seattle, Wash., of the operating rights and property of ADAMS TRANS-PORT, INC., E. 12205 Empire Way, Spokane, Wash., and for acquisition by A. L. CHANDLER and W. D. CHANDLER, both of Seattle, of control of the rights and property through the transaction. Applicant's attorney George H. Hart, 827

Central Bldg., Seattle, Wash. Operating rights sought to be controlled: Cement, as a common carrier over irregular routes, from, to, and between certain points in Washington, Idaho, Oregon, and Montana. Cement Distributors, Inc., is authorized to operate in Oregon and Washington. Application has not

been filed for temporary authority under Section 210a (b)

By the Commission.

[SEAL] HAROLD D. McCoy, Secretary.

[F. R. Doc. 55-7634; Filed, Sept. 20, 1955; 8:49 a. m.]